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111TH CONGRESS, 1st Session } HOUSE OF REPRESENTATIVES { REPORT 111–37

GIVE ACT

MARCH 16, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GEORGE MILLER of California, from the Committee on Education and Labor, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 1388]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 1388) to reauthorize and reform the national service laws, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Generations Invigorating Volunteerism and Education Act" or the "GIVE Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Sec. 1001. References.

Subtitle A—Amendments to Subtitle A (General Provisions)

Sec. 1101. Purposes; sense of Congress.
Sec. 1102. Definitions.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

Sec. 1201. School-based allotments.
Sec. 1202. Higher education provisions and Campuses of Service.
Sec. 1203. Innovative programs and research.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.

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Sec. 1302. Required and eligible national service programs.
Sec. 1303. Types of positions.
Sec. 1304. Conforming repeal relating to training and technical assistance.
Sec. 1305. Assistance to State Commissions; challenge grants.
Sec. 1306. Allocation of assistance to States and other eligible entities.
Sec. 1307. Additional authority.
Sec. 1308. State selection of programs.
Sec. 1309. National service program assistance requirements.
Sec. 1310. Consideration of applications.
Sec. 1311. Description of participants.
Sec. 1312. Selection of national service participants.
Sec. 1313. Terms of service.
Sec. 1314. Adjustments to living allowance.

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

Sec. 1401. Availability of funds in the National Service Trust.
Sec. 1402. Individuals eligible to receive a national service educational award from the Trust.
Sec. 1403. Determination of the amount of national service educational awards.
Sec. 1404. Disbursement of educational awards.
Sec. 1405. Process of approval of national service positions.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Sec. 1501. Purpose.
Sec. 1502. Program components.
Sec. 1503. Eligible participants.
Sec. 1504. Summer national service program.
Sec. 1505. Team leaders.
Sec. 1506. Training.
Sec. 1507. Consultation with State Commissions.
Sec. 1508. Authorized benefits for Corps members.
Sec. 1509. Permanent cadre.
Sec. 1510. Contract and grant authority.
Sec. 1511. Other departments.
Sec. 1512. Advisory Board.
Sec. 1513. Evaluation.
Sec. 1514. Repeal of funding limitation.
Sec. 1515. Definitions.
Sec. 1516. Terminology.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

Sec. 1601. Family and medical leave.
Sec. 1602. Additional prohibitions on use of funds.
Sec. 1603. Notice, hearing, and grievance procedures.
Sec. 1604. Resolution of displacement complaints.
Sec. 1605. State Commissions on National and Community Service.
Sec. 1606. Evaluation and accountability.
Sec. 1607. Technical amendment.
Sec. 1608. Partnerships with schools.
Sec. 1609. Rights of access, examination, and copying.
Sec. 1610. Additional administrative provisions.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Sec. 1701. Terms of office.
Sec. 1702. Board of Directors authorities and duties.
Sec. 1703. Chief executive officer compensation.
Sec. 1704. Authorities and duties of the Chief Executive Officer.
Sec. 1705. Delegation to States.
Sec. 1706. Chief financial officer compensation.
Sec. 1707. Nonvoting members; personal services contracts.
Sec. 1708. Donated services.
Sec. 1709. Study to examine and increase service programs for displaced workers.
Sec. 1710. Study to evaluate the effectiveness of a centralized electronic citizenship verification system.

Subtitle H—Amendments to Subtitle H

Sec. 1801. Technical amendments to subtitle H.
Sec. 1802. Repeals.
Sec. 1803. New Fellowships.
Sec. 1804. Innovative and model program support.
Sec. 1805. Clearinghouses.

Subtitle I—Training and Technical Assistance

Sec. 1821. Training and technical assistance.

Subtitle J—Repeal of Title III (Points of Light Foundation)

Sec. 1831. Repeal.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

Sec. 1841. Authorization of appropriations.

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Sec. 2001. References.

Subtitle A—Amendments to Title I (National Volunteer Antipoverty Programs)

Sec. 2101. Purpose.

Sec. 2102. Purpose of the VISTA program.
Sec. 2103. Applications.
Sec. 2104. VISTA programs of national significance.
Sec. 2105. Terms and periods of service.
Sec. 2106. Support Service.
Sec. 2107. Sections repealed.
Sec. 2108. Conforming amendment.
Sec. 2109. Financial assistance.

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

Sec. 2201. Change in name.
Sec. 2202. Purpose.
Sec. 2203. Grants and contracts for volunteer service projects.
Sec. 2204. Foster Grandparent Program grants.
Sec. 2205. Senior Companion Program grants.
Sec. 2206. Promotion of National Senior Service Corps.
Sec. 2207. Technical amendments.
Sec. 2208. Programs of national significance.
Sec. 2209. Additional provisions.
Sec. 2210. Authority of Director.

Subtitle C—Amendments to Title IV (Administration and Coordination)

Sec. 2301. Nondisplacement.
Sec. 2302. Notice and hearing procedures.
Sec. 2303. Definitions.
Sec. 2304. Protection against improper use.

Subtitle D—Amendments to Title V (Authorization of Appropriations)

Sec. 2401. Authorization of appropriations for VISTA and other purposes.
Sec. 2402. Authorization of appropriations for National Senior Service Corps.

TITLE III—AMENDMENTS TO OTHER LAWS

Sec. 3101. Inspector General Act of 1978.

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Sec. 4101. Table of contents for the National and Community Service Act of 1990.
Sec. 4102. Table of contents amendments for the Domestic Volunteer Service Act.

TITLE V—EFFECTIVE DATE

Sec. 5101. Effective date.
Sec. 5102. Service assignments and agreements.

TITLE VI—CONGRESSIONAL COMMISSION ON CIVIC SERVICE

Sec. 6101. Short title.
Sec. 6102. Findings.
Sec. 6103. Establishment.
Sec. 6104. Duties.
Sec. 6105. Membership.
Sec. 6106. Director and Staff of Commission; Experts and Consultants.
Sec. 6107. Powers of Commission.
Sec. 6108. Reports.
Sec. 6109. Termination.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SEC. 1001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

Subtitle A—Amendments to Subtitle A (General Provisions)

SEC. 1101. PURPOSES; SENSE OF CONGRESS.

(a) PURPOSES.—Section 2(b) (42 U.S.C. 12501(b)) is amended—

(1) in paragraph (2), by striking "community throughout" and inserting "community and service throughout the varied and diverse communities of";

(2) in paragraph (4), by inserting after "income," the following: "geographic location,";

(3) in paragraph (6), by inserting after "existing" the following: "national";

(4) in paragraph (7)—

(A) by striking "programs and agencies" and inserting "programs, agencies, and communities"; and

(B) by striking "and" at the end;

(5) in paragraph (8), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

"(9) recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in addressing national and local challenges;

"(10) increase public and private investment in nonprofit community organizations that are effectively addressing national and local challenges and to encourage such organizations to replicate and expand successful initiatives;

"(11) leverage Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

"(12) expand and strengthen service-learning programs through year-round opportunities, including during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community to children and youth throughout the United States;

"(13) assist in coordinating and strengthening Federal and other service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

"(14) increase service opportunities for our Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions to improve the education of our Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older Americans;

"(15) encourage the continued service of the alumni of the national service programs, including service in times of national need;

"(16) support institutions of higher education that engage students in community service activities, provide service-learning courses, and encourage or assist graduates to pursue careers in public service in the nonprofit or government sector; and

"(17) encourage members of the Baby Boom generation to partake in service opportunities.".

(b) SENSE OF CONGRESS.—The Act is amended by inserting after section 2 the following:

"SEC. 3. SENSE OF CONGRESS.

"It is the sense of Congress that the number of participants in the programs authorized under subtitle C, including the Volunteers in Service to America (VISTA) and the National Civilian Community Corps (NCCC), should grow to reach 250,000 participants by 2014.".

SEC. 1102. DEFINITIONS.

Section 101 (42 U.S.C. 12511) is amended—

(1) by redesignating—

(A) paragraphs (21) through (29) as paragraphs (28) through (36), respectively;

(B) paragraphs (9) through (20) as paragraphs (15) through (26), respectively;

(C) paragraphs (7) and (8) as paragraphs (10) and (11), respectively; and

(D) paragraphs (3) through (6) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (2) the following:

"(3) APPROVED SUMMER OF SERVICE POSITION.—The term 'approved summer of service position' means a position in a program described under section 120(c)(8) for which the Corporation has approved the provision of a summer of service educational award as one of the benefits to be provided for successful service in the position.

"(4) BABY BOOM GENERATION.—The term 'Baby Boom generation' means the generation that consists of individuals born during the period beginning with 1946 and ending with 1964.";

(3) in paragraph (5) (as so redesignated), by striking "described in section 122";

(4) in paragraph (7) (as so redesignated), by striking "church or other";

(5) by inserting after paragraph (8) (as so redesignated) the following:

"(9) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' includes those youth who are economically disadvantaged and one or more of the following:

"(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

"(B) Who are in or aging out of foster care.

"(C) Who have limited English proficiency.

"(D) Who are homeless or who have run away from home.

"(E) Who are at-risk to leave school without a diploma.

"(F) Who are former juvenile offenders or at risk of delinquency.

"(G) Who are individuals with a disability.";

(6) by inserting after paragraph (11) (as so redesignated) the following:

"(12) COMMUNITY-BASED ORGANIZATION.—The term 'community-based organization' means a public or private nonprofit organization that—

"(A) has experience with meeting unmet human, educational, environmental, or public safety needs; and

"(B) meets other such criteria as the Chief Executive Officer may establish.

"(13) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given such term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

"(14) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).";

(7) in paragraph (19) (as so redesignated), by striking "section 101(a) of the Higher Education Act of 1965" and inserting "sections 101(a) and 102(a)(1) of the Higher Education Act of 1965";

(8) in paragraph (23)(B) (as so redesignated), by striking "program in which the participant is enrolled" and inserting "organization receiving assistance under the national service laws through which the participant is enrolled in an approved national service position";

(9) by inserting after paragraph (26) (as so redesignated) the following:

"(27) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.";

(10) in paragraph (28)(B) (as so redesignated)—

(A) by striking "602" and inserting "602(3)"; and

(B) by striking "1401" and inserting "1401(3)"; and

(11) by adding at the end the following:

"(37) PREDOMINANTLY BLACK INSTITUTION.—The term 'predominantly black institution' has the meaning given such term in section 318 of the Higher Education Act of 1965 (20 U.S.C. 1059e).

"(38) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term 'tribally controlled college or university' has the meaning given such term in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).

"(39) MEDICALLY UNDERSERVED POPULATION.—The term 'medically underserved population' has the meaning given that term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

"(40) VETERAN.—The term 'veteran' means any individual who has engaged in the active duty in the United States Army, Navy, Air Force, or Coast Guard and was released under a condition other than dishonorable.".

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

Part I of subtitle B of title I (42 U.S.C. 12521 et seq.) is amended to read as follows:

"PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

"SEC. 111. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

"(a) PURPOSE.—School-based service learning programs promote service-learning as a strategy to—

"(1) support high-quality service-learning projects that engage students in meeting community needs with demonstrable results, while enhancing students' academic and civic learning; and

"(2) support efforts to build institutional capacity, including the training of educators, and to strengthen the service infrastructure to expand service opportunities.

"(b) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, Territories, and Indian tribes to pay for the Federal share of—

"(1) planning and building the capacity within the State, Territory, or Indian tribe to implement service-learning programs that are based principally in elementary and secondary schools, including—

"(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

"(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

"(C) forming local partnerships described in paragraph (2) or (4) to develop school-based service-learning programs in accordance with this part;

"(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

"(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effectiveness in working with school-age youth in their communities; and

"(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, with particular attention to schools identified for school improvement under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

"(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution of Federal funds by State educational agencies, Territories, and Indian tribes made available under this part to projects operated by local partnerships among—

"(A) local educational agencies; and

"(B) 1 or more community partners that—

"(i) shall include a public or private nonprofit organization that—

"(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

"(II) will make projects available for participants, who shall be students; and

"(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

"(ii) may include a private for-profit business, private elementary or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

"(3) planning of school-based service-learning programs, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

"(A) the salaries and benefits of service-learning coordinators; or

"(B) the recruitment, training, supervision, and placement of service-learning coordinators who may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

"(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to—

"(A) local educational agencies;

"(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

"(C) public or private nonprofit organizations; or

"(D) partnerships or combinations of local educational agencies and entities described in subparagraph (B) or (C); and

"(5) developing civic engagement programs that promote a better understanding of—

"(A) the principles of the Constitution, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance;

"(B) promote a better understanding of how the Nation's government functions; and

"(C) promote a better understanding of the importance of service in the Nation's character.

"(c) CONSULTATION WITH SECRETARY OF EDUCATION.—The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives that may include—

"(1) Identification and dissemination of research findings on service-learning and scientifically-valid research based practices; and

"(2) Provision of professional development opportunities that—

"(A) improve the quality of service-learning instruction and delivery for teachers both pre-service and in-service, personnel from community-based agencies and youth workers; and

"(B) create and sustain effective partnerships between local education agencies, community-based organizations, businesses, and other stakeholders.

"(d) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (b) shall provide services that may include—

"(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

"(2) assisting local partnerships described in subsection (b) in the planning, development, and execution of service-learning projects, including summer of service programs; and

"(3) carrying out such other duties as the recipient of assistance under this part may determine to be appropriate.

"(e) RELATED EXPENSES.—An entity that receives financial assistance under this part may, in carrying out the activities described in subsection (b), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

"SEC. 112. ALLOTMENTS.

"(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

"(b) ALLOTMENTS THROUGH STATES.—After reserving the amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for any fiscal year as follows:

"(1) ALLOTMENTS.—

"(A) SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth of all States.

"(B) ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or its successor authority bears to such allocations to all States.

"(2) DEFINITION.—Notwithstanding section 101, for purposes of this subsection, the term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, Territory, or Indian tribe under this section will not be required for a fiscal year because the State, Territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make

the allotment for such State, Territory, or Indian tribe available for grants to community-based organization to carry out service-learning programs as described in section 111(b) in such State, Territory, or Indian tribe. After community-based organizations apply for the allotment with an application at such time and in such manner as the Corporation requires and receive approval, the remainder of such allotment shall be available for reallotment to such other States, Territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

"(d) MINIMUM AMOUNT.—For any fiscal year for which amounts appropriated for this part exceed $50,000,000, the minimum allotment to each State (as defined in subsection (b)(2)) under this section shall be $65,000.

"SEC. 113. APPLICATIONS.

"(a) IN GENERAL.—To be eligible to receive an allotment under section 112, a State, acting through the State educational agency, Territory, or Indian tribe shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

"(b) CONTENTS.—An application for an allotment under this part shall include—

"(1) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

"(2) information about the criteria the State educational agency, Territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (c), including an assurance that the State educational agency, Territory, or Indian tribe will comply with the requirement in section 114(a);

"(3) assurances about the applicant's efforts to—

"(A) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

"(B) include any opportunities for students enrolled in schools or other programs of education providing elementary or secondary education to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

"(C) involve participants in the design and operation of the program;

"(D) promote service-learning in areas of greatest need, including low-income or rural areas; and

"(E) otherwise integrate service opportunities into the academic program of the participants;

"(4) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedures required by section 176.

"(c) APPLICATION TO STATE, TERRITORY, OR INDIAN TRIBE TO RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

"(1) IN GENERAL.—Any—

"(A) qualified organization, Indian tribe, Territory, local educational agency, for-profit business, private elementary, middle, or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, Territory, or Indian tribe for an activity described in section 111(b)(1);

"(B) partnership described in section 111(b)(2) that desires to receive such assistance from a State, Territory, or Indian tribe or community-based organization described in section 111(b)(2);

"(C) entity described in section 111(b)(3) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section;

"(D) partnership described in section 111(b)(4) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section; and

"(E) agency or partnership described in section 120(c)(8) that desires to receive such assistance, or approved summer of service positions, from a State, Territory, or Indian tribe for an activity described in such section to be carried out through a service-learning program described in section 111,

shall prepare, submit to the State educational agency, Territory, community-based organization, or Indian tribe, and obtain approval of, an application for the program.

"(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, Territory, Indian tribe, or entity may reasonably require.

"SEC. 114. CONSIDERATION OF APPLICATIONS.

"(a) PRIORITY.—In considering competitive applications under this part, the Corporation shall give priority to innovation, sustainability, capacity building, involvement of disadvantaged youth, and quality of programs, as well as other criteria approved by the Chief Executive Officer.

"(b) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State, Territory, or Indian tribe under section 113 for an allotment, the Corporation shall promptly notify the State, Territory, or Indian tribe of the reasons for the rejection of the application. The Corporation shall provide the State, Territory, or Indian tribe with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State, Territory, or Indian tribe as part of the re-submission process. The Corporation shall promptly reconsider such resubmitted application.

"SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

"(a) IN GENERAL.—To the extent consistent with the number of students in the State, Territory, or Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State, Territory, Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

"(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

"(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

"(b) WAIVER.—If a State, Territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, Territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers. Such waivers shall be subject to the requirements of sections 9503 and 9504 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7883 and 7884).

"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

"(a) FEDERAL SHARE.—

"(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part—

"(A) for new grants, may not exceed 80 percent of the total cost for the first year of the grant, 65 percent for the second year, and 50 percent for each remaining year; and

"(B) for continuing grants, may not exceed 50 percent of the total cost of the program.

"(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this part—

"(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

"(B) may provide for such share through State sources or local sources, including private funds or donated services.

"(b) WAIVER.—

"(1) IN GENERAL.—The Chief Executive Officer may, with respect to any such program for any fiscal year, and upon determination that such action would be equitable due to lack of resources at the local level—

"(A) waive the requirements of subsection (a) in whole or in part; or

"(B) allow a recipient to provide the non-Federal contribution required under subsection (a)(2) from funding available pursuant to title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

"(2) RULES.—The following rules apply to paragraph (1)(B):

"(A) Paragraph (1)(B) applies only to recipients that are schools receiving funding under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

"(B) The non-Federal contribution provided under paragraph (1)(B) may only be used for purposes consistent with title I of such Act (20 U.S.C. 6301 et seq.).

"SEC. 117. LIMITATIONS ON USES OF FUNDS.

"Not more than 6 percent of the amount of assistance received by an applicant in a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by—

"(1) the original recipient; or

"(2) the entity carrying out the service-learning program supported with the assistance.".

SEC. 1202. HIGHER EDUCATION PROVISIONS AND CAMPUSES OF SERVICE.

(a) PART HEADING.—The heading relating to part II of subtitle B of title I is amended to read as follows:

"PART II—HIGHER EDUCATION PROVISIONS AND CAMPUSES OF SERVICE".

(b) HIGHER EDUCATION.—Section 119 (42 U.S.C. 12561) is redesignated as section 118 and amended—

(1) in subsection (a), by inserting after "community service programs" the following: "through service-learning";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "combination" and inserting "consortia";

(B) in paragraph (1)—

(i) in subparagraph (A), by striking "and" at the end;

(ii) in subparagraph (B), by adding "and" at the end; and

(iii) by adding at the end the following:

"(C) may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at one or more members of the consortia;";

(3) in subsection (b)(3)—

(A) in the matter preceding subparagraph (A), by striking "teachers at the elementary, secondary, and postsecondary levels" and inserting "institutions of higher education and their faculty";

(B) in subparagraph (A), by striking "education of the institution; and" and inserting "curricula of the institution to strengthen the instructional capacity of service-learning at the elementary and secondary levels;";

(C) by redesignating subparagraph (B) as subparagraph (E); and

(D) by inserting after subparagraph (A) the following:

"(B) including service-learning as a key component of the health professionals curricula, including nursing, pre-medicine, medicine, and dentistry curricula of the institution;

"(C) including service-learning as a key component of the criminal justice professionals curricula of the institution;

"(D) including service-learning as a key component of the public policy and public administration curricula of the institution; and";

(4) by striking subsections (c), (d), (e), and (g);

(5) by redesignating subsection (f) as (i); and

(6) by inserting after subsection (b) the following:

"(c) SPECIAL CONSIDERATION.—To the extent practicable, the Corporation shall give special consideration to applications submitted by predominantly Black institutions, Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal Colleges and Universities, and community colleges serving predominantly minority populations.

"(d) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

"(1) FEDERAL SHARE.—

"(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

"(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

"(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

"(ii) may provide for such share through State sources or local sources, including private funds or donated services.

"(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fis-

cal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

"(e) APPLICATION FOR GRANT.—

"(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an applicant shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

"(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

"(A) assurances that—

"(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

"(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedures required by section 176; and

"(B) such other assurances as the Chief Executive Officer may reasonably require.

"(f) PRIORITY.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants or institutions that submit applications containing proposals that—

"(1) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

"(2) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

"(3) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools and colleges;

"(4) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

"(A) the institution;

"(B)(i) a community-based agency;

"(ii) a local government agency; or

"(iii) a non-profit entity that serves or involves school-age youth, older adults, or low-income communities; and

"(C)(i) a student organization;

"(ii) a department of the institution; or

"(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

"(5) demonstrate community involvement in the development of the proposal and the extent to which the proposal will contribute to the goals of its community partners;

"(6) describe research on effective strategies and methods to improve service utilized in the design of the project;

"(7) demonstrate a commitment to perform service projects in underserved urban and rural communities;

"(8) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education;

"(9) with respect to projects involving delivery of services, specify projects that involve leadership development of school aged youth; or

"(10) describe how service projects and activities are associated with such ideas as housing, economic development, infrastructure, health care, job training, education, crime prevention, urban planning, transportation technology, and child welfare.

"(g) DEFINITION.—Notwithstanding section 101, as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.

"(h) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education must demonstrate that it meets the minimum requirements under section 443(b)(2) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)) relating to the participation of Federal Work-Study students in community service activities, or has received a waiver of those requirements from the Secretary of Education.".

(c) CAMPUSES OF SERVICE.—Title I of the National and Community Service Act of 1990 (42 U.S.C. 12521 et seq.) is amended by adding after section 118 (as redesignated by subsection (a)) at the end the following:

"SEC. 119. CAMPUSES OF SERVICE.

"(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, may annually designate not more than 25 institutions of higher education as Campuses of Service, from among institutions nominated by State Commissions.

"(b) APPLICATIONS FOR NOMINATION.—

"(1) IN GENERAL.—To be eligible for a nomination to receive designation under subsection (a), and have an opportunity to apply for funds under subsection (d) for a fiscal year, an institution of higher education in a State shall submit an application to the State Commission at such time, in such manner, and containing such information as the State Commission may require.

"(2) CONTENTS.—At a minimum, the application shall include information specifying—

"(A)(i) the number of undergraduate and, if applicable, graduate service-learning courses offered at such institution for the most recent full academic year preceding the fiscal year for which designation is sought; and

"(ii) the number and percentage of undergraduate students and, if applicable, the number and percentage of graduate students at such institution who were enrolled in the corresponding courses described in clause (i), for such preceding academic year;

"(B) the percentage of undergraduate students engaging in and, if applicable, the percentage of graduate students engaging in activities providing community services, as defined in section 441(c) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)), during such preceding academic year, the quality of such activities, and the average amount of time spent, per student, engaged in such activities;

"(C) for such preceding academic year, the percentage of Federal work-study funds made available to the institution under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) that is used to compensate students employed in providing community services, as so defined, and a description of the efforts the institution undertakes to make available to students opportunities to provide such community services and be compensated through such work-study funds;

"(D) at the discretion of the institution, information demonstrating the degree to which recent graduates of the institution, and all graduates of the institution, have obtained full-time public service employment in the nonprofit sector or government, with a private nonprofit organization or a Federal, State, or local public agency; and

"(E) any programs the institution has in place to encourage or assist graduates of the institution to pursue careers in public service in the nonprofit sector or government.

"(c) NOMINATIONS AND DESIGNATION.—

"(1) NOMINATION.—

"(A) IN GENERAL.—A State Commission that receives applications from institutions of higher education under subsection (b) may nominate, for designation under subsection (a), not more than 3 such institutions of higher education, consisting of—

"(i) not more than one 4-year public institution of higher education;

"(ii) not more than one 4-year private institution of higher education; and

"(iii) not more than one 2-year institution of higher education.

"(B) SUBMISSION.—The State Commission shall submit to the Corporation the name and application of each institution nominated by the State Commission under subparagraph (A).

"(2) DESIGNATION.—The Corporation shall designate, under subsection (a), not more than 25 institutions of higher education from among the institutions nominated under paragraph (1). In making the designations, the Corporation shall, if feasible, designate various types of institutions, including institutions from each of the categories of institutions described in clauses (i), (ii), and (iii) of paragraph (1)(A).

"(d) AWARDS.—

"(1) IN GENERAL.—Using sums appropriated under section 501(a)(1)(C), the Corporation shall provide an award to institutions designated under subsection (c), to be used by the institutions to develop or disseminate service-learning models and best practices regarding service-learning to other institutions of higher education.

"(2) PLANS.—To be eligible to receive funds under this subsection, an institution designated under subsection (c) shall submit a plan to the Corporation describing how the institution intends to use the funds to encourage or assist those students to pursue public service careers in the nonprofit sector or government.

"(3) ALLOCATION.—The Corporation shall determine how the funds appropriated under section 501(a)(1)(C) for a fiscal year will be allocated among the institutions submitting acceptable plans under paragraph (2). In determining the amount of funds to be allocated to such an institution, the Corporation shall consider the number of students at the institution, and the quality and scope of the plan submitted by the institution under paragraph (2) and the institution's current (as of the date of submission of the plan) strategies to encourage or assist students to pursue public service careers in the nonprofit sector or government.".

SEC. 1203. INNOVATIVE PROGRAMS AND RESEARCH.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is further amended by adding after part II the following new part:

"PART III—INNOVATIVE DEMONSTRATION SERVICE–LEARNING PROGRAMS AND RESEARCH

"SEC. 120. INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH.

"(a) IN GENERAL.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants and fixed-amount grants (in accordance with section 129(l)) with eligible entities for activities described in subsection (c).

"(b) DEFINITIONS.—For purposes of this part, the following definitions apply:

"(1) ELIGIBLE ENTITIES.—The term 'eligible entity' means a State education agency, a State Commission, a Territory, an Indian tribe, an institution of higher education, or a public or private nonprofit organization (including community-based organizations), a public or private elementary or secondary school, a local educational agency, or a consortia of such entities, where a consortia of two or more such entities may also include a for-profit organization.

"(2) YOUTH ENGAGEMENT ZONE.—The term 'youth engagement zone' means the area in which a youth engagement zone program is carried out.

"(3) YOUTH ENGAGEMENT ZONE PROGRAM.—The term 'youth engagement zone program' means a service learning program in which members of an eligible partnership described in paragraph (4) collaborate to provide coordinated school-based or community-based service learning opportunities, to address a specific community challenge, for an increasing percentage of out-of-school youth and secondary school students served by local educational agencies where—

"(A) not less than 90 percent of the students participate in service-learning activities as part of the program; or

"(B) service-learning is a mandatory part of the curriculum in all of the secondary schools served by the local educational agency.

"(4) ELIGIBLE PARTNERSHIP.—

"(A) IN GENERAL.—The term 'eligible partnership' means—

"(i) one or more community-based agencies that have demonstrated records of success in carrying out service-learning programs with disadvantaged students, and that meet such criteria as the Chief Executive Officer may establish; in combination with;

"(ii)(I) one or more local educational agencies for which—

"(aa) a high number or percentage of the students served by the agency, as determined by the Corporation, are disadvantaged students; and

"(bb) the graduation rate for the secondary school students served by the agency is less than 70 percent; or

"(II) a State Commission; or

"(III) a State educational agency.

"(B) ADDITIONAL ENTITIES.—An eligible partnership may also include—

"(i) a local government agency that is not described in subparagraph (A);

"(ii) the office of the chief executive officer of a unit of general local government; or

"(iii) an institution of higher education.

"(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

"(1) integrate service-learning programs into the science, technology, engineering, and mathematics (STEM) curricula at the elementary, secondary, or post-secondary, and post-baccalaureate levels in coordination with practicing or retired STEM professionals;

"(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low income housing and in public spaces;

"(3) involve students in service-learning projects in emergency and disaster preparedness;

"(4) involve students in service-learning projects aimed at improving access to and obtaining benefits from computers and other emerging technologies, including improving such access to individuals with disabilities, in low income or rural communities, in senior centers and communities, in schools, in libraries, and in other public spaces;

"(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency disaster preparedness needs in their community;

"(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

"(7) conduct innovative and creative activities as described in section 111(b);

"(8) establish or implement summer of service programs (giving priority to programs that enroll youth in grades 6 through 9) during the summer months, including the cost of recruitment, training, and placement of service-learning coordinators—

"(A) for youth who will be enrolled in any grade from grade 6 through grade 12 at the end of the summer concerned;

"(B) for community-based service-learning projects that—

"(i) shall—

"(I) meet unmet human, educational, environmental (including energy conservation and stewardship), emergency and disaster preparedness, and public service needs; and

"(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community; and

"(ii) may include the extension of academic year service-learning programs into the summer months;

"(C) under which any student who completes 100 hours of service in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 138(f), shall be eligible for a summer of service educational award of not more than $500 (or, at the discretion of the Chief Executive Officer, not more than $1,000 in the case of a participant who is economically disadvantaged) from funds deposited in the National Service Trust and distributed by the Corporation as described in section 148; and

"(D) subject to the limitation that a student may not receive more than 2 summer of service educational awards from funds deposited in the National Service Trust;

"(9) establish or implement youth engagement zone service learning programs in youth engagement zones for students in secondary school served by local educational agencies where a majority of such students do not participate in service learning activities carried out by eligible partnerships as defined in paragraph (4) that are designed to—

"(A) involve all students in secondary school in the local educational agency in service-learning to address a specific community challenge;

"(B) improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates in secondary schools;

"(C) involve an increasing percentage of students in secondary school and out-of-school youth in the community in school-based or community based service-learning activities each year, with the goal of involving all students in secondary schools served by the local educational agency and involving an increasing percentage of the out-of-school youth in service learning activities; and

"(D) encourage participants to engage in service throughout their lives; and

"(10) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

"(d) PRIORITY.—Priority shall be given to programs that—

"(1) involve students and community stakeholders in the design and implementation of the service-learning program;

"(2) implement service-learning programs in low-income or rural communities; and

"(3) utilize adult volunteers, including tapping the resource of retired and retiring adults, in the planning and implementation of the service-learning programs.

"(e) REQUIREMENTS.—

"(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

"(2) COLLABORATION ENCOURAGED.—Each program funded under this part is encouraged to collaborate with other Learn and Serve programs, AmeriCorps, VISTA, and the National Senior Service Corps.

"(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

"(f) MATCHING FUNDS.—

"(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant (that is not a fixed-amount grant as described in section 129(l)) is made under this part may not exceed 75 percent of the total cost of the program in the first year of the grant and 50 percent of the total cost of the program in the remaining years of the grant, including if the grant is extended for a fourth year.

"(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

"(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

"(B) may provide for such share through State sources or local sources, including private funds or donated services.

"(3) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such action would be equitable due to lack of resources at the local level.

"(g) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.".

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

SEC. 1301. PROHIBITION ON GRANTS TO FEDERAL AGENCIES; LIMITS ON CORPORATION COSTS.

Section 121 (42 U.S.C. 12571) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting after "subdivisions of States," the following: "Territories,";

(2) in subsection (b)—

(A) in the heading, by striking "AGREEMENTS WITH FEDERAL AGENCIES" and inserting "RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES";

(B) in paragraph (1)—

(i) by striking "a contract or cooperative agreement" and inserting "an interagency agreement other than a grant";

(ii) by inserting "or otherwise supported" after "program carried out";

(iii) by striking "by the agency." and inserting "by the agency, including programs under the Public Lands Corps and Urban Youth Corps as described in section 122(a)(2)."; and

(iv) by striking the second sentence;

(C) by striking paragraph (2) and inserting the following:

"(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency."; and

(D) in paragraph (3), by striking "receiving assistance under this subsection" and inserting "operating a national service program"; and

(3) in subsection (c)(2)(B), by striking "to be provided" and inserting "to be provided or otherwise approved";

(4) in subsection (d)—

(A) in the subsection heading, by striking "FIVE" and inserting "SIX"; and

(B) in paragraph (1), by striking "5 percent" and inserting "6 percent"; and

(5) in subsection (e)—

(A) in paragraph (1)—

(i) by striking "section 140" and inserting "paragraph (2)";

(ii) by striking "Federal share of the cost" and inserting "Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation and other necessary operation costs,";

(iii) by striking "may not exceed 75 percent of such cost." and inserting "may not exceed—"; and

(iv) by adding at the end the following:

"(A) for the first 3 years in which the recipient receives such assistance, 76 percent of such cost;

"(B) for the fourth through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 percent and 50 percent, as established by the Corporation in regulation; and

"(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 50 percent of such cost.";

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

"(2) ALTERNATIVE CORPORATION SHARE FOR PROGRAMS IN RURAL OR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.—Upon approval by the Corporation, the Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation, of carrying out a national service program that receives assistance under subsection (a) and that is located in a rural or severely economically distressed community may not exceed—

"(A) for the first 6 years in which the recipient receives such assistance, 76 percent of such cost;

"(B) for the seventh through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 and 65 percent as established by the Corporation in regulation; and

"(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 65 percent of such cost."; and

(E) by adding at the end the following:

"(5) OTHER FEDERAL FUNDS.—

"(A) RECIPIENT REPORT.—A recipient of assistance under section 121 (other than a recipient of assistance of a fixed-amount grant) shall report to the Corporation the amount and source of any Federal funds used to carry out the program other than those provided by the Corporation.

"(B) CORPORATION REPORT.—The Corporation shall report to the appropriate committees of Congress on an annual basis information regarding each recipient under subparagraph (A) that uses Federal funds other than those provided by the Corporation to carry out the program, including amounts and sources of other Federal funds.".

SEC. 1302. REQUIRED AND ELIGIBLE NATIONAL SERVICE PROGRAMS.

Section 122 is amended to read as follows:

"SEC. 122. NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

"(a) REQUIRED NATIONAL SERVICE CORPS.—The recipient of a grant under section 121(a) and each Federal agency operating or supporting a national service program under section 121(b) shall, directly or through grants or subgrants to other entities, carry out or support the following national service corps, as full- or part-time corps, including during the summer months, to address unmet educational, health, veteran, or environmental needs:

"(1) EDUCATION CORPS.—An Education Corps that identifies unmet educational needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

"(A) ACTIVITIES.—An Education Corps described in this paragraph may carry out activities such as—

"(i) tutoring, or providing other academic support to students;

"(ii) full-time classroom instruction;

"(iii) mentoring students, including adult or peer mentoring;

"(iv) linking needed integrated services and comprehensive supports with students, their families, and their public schools;

"(v) improving school climate;

"(vi) providing assistance to a school in expanding the school day by strengthening the quality of staff and expanding the academic programming offered in an expanded learning time initiative, a program of a 21st century community learning center (as defined in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171)), or a high-quality after-school program, such as through recruiting, placing, training and supporting a full-time corps of Fellows who are graduates of 4-year institutions of higher education or 2-year institutions of higher education with a certificate or degree in youth development to administer the initiative or program at high-need school;

"(vii) assisting schools and local educational agencies in improving and expanding high-quality service-learning programs that keep students engaged in schools by providing service-learning coordinators;

"(viii) assisting students in being prepared for college-level work;

"(ix) involving family members of students in supporting teachers and students;

"(x) conducting a pre-professional training program in which students enrolled in an institution of higher education—

"(I) receive training in specified fields, which may include classes containing service-learning, including early childhood education, elementary and secondary education and other professions such as those in health care, criminal justice, environmental stewardship and conservation or public safety;

"(II) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

"(III) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training;

"(xi) A campus-based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

"(I) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

"(II) teams composed of such students;

"(III) teams composed of a combination of such students and community residents; or

"(IV) students participating in service-learning programs at an institution of higher education;

"(xii) a program that provides specialized training to individuals in service-learning and places the individuals after such training in positions, including positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I of subtitle B;

"(xiii) providing education or job training services that are designed to meet the needs of rural communities; and

"(xiv) other activities addressing unmet educational needs as the Corporation may designate.

"(B) EDUCATION CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

"(i) student engagement, including student attendance and student behavior;

"(ii) student academic achievement;

"(iii) high school graduation rates;

"(iv) rate of college enrollment and continued college enrollment for recipients of a high school diploma;

"(v) an additional indicator relating to improving education for students that the Corporation, in consultation with the Secretary of Education, establishes for a given year;

"(vi) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving

education for students, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

"(vii) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

"(2) HEALTHY FUTURES CORPS.—A Healthy Futures Corps that identifies unmet health needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

"(A) ACTIVITIES.—A Healthy Futures Corps described in this paragraph may carry out activities such as—

"(i) assisting economically disadvantaged individuals in navigating the health care system;

"(ii) assisting individuals in obtaining access to health care for themselves or their children;

"(iii) educating economically disadvantaged individuals and individuals who are members of medically underserved populations about, and engaging individuals described in this clause in, initiatives regarding navigating the health care system and regarding disease prevention and health promotion, with a particular focus on common health conditions, chronic diseases, and conditions, for which disease prevention and health promotion measures exist and for which socioeconomic, geographic, and racial and ethnic health disparities exist;

"(iv) improving health literacy of patients;

"(v) providing translation services at clinics and in emergency rooms to improve health care;

"(vi) providing services designed to meet the needs of rural communities;

"(vii) assisting in health promotion interventions that improve health status, and helping people adopt and maintain healthy lifestyles and habits to improve health status; and

"(viii) other activities addressing unmet health needs as the Corporation may designate.

"(B) HEALTHY FUTURES CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

"(i) access to health care among economically disadvantaged individuals and individuals who are members of medically underserved populations;

"(ii) access to health care for uninsured individuals, including such individuals who are economically disadvantaged children;

"(iii) participation, among economically disadvantaged individuals and individuals who are members of medically underserved populations, in disease prevention and health promotion initiatives, particularly those with a focus on addressing common health conditions, addressing chronic diseases, and decreasing health disparities;

"(iv) health literacy of patients;

"(v) an additional indicator, relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that the Corporation, in consultation with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, establishes for a given year;

"(vi) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

"(vii) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

"(3) CLEAN ENERGY CORPS.—A Clean Energy Corps that identifies unmet environmental needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

"(A) ACTIVITIES.—A Clean Energy Corps described in this paragraph may carry out activities such as—

"(i) weatherizing and retrofitting housing units for low-income households to significantly improve the energy efficiency and reduce carbon emissions of such housing units;

"(ii) building energy efficient housing units in low-income communities;

"(iii) conducting energy audits for low-income households and recommending ways for the households to improve energy efficiency;

"(iv) the enhancement of renewable energy production by facilitating the installation or repair of renewable energy technologies;

"(v) assisting in emergency operations, such as disaster prevention and relief;

"(vi) the repair, renovation, or rehabilitation of an existing infrastructure facility including, but not limited to, rail, mass transportation, ports, inland navigation, schools and hospitals;

"(vii) working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment, including conducting service-learning projects to provide such education;

"(viii) assisting in the development of local recycling programs;

"(ix) improving national and State parks, city parks, county parks, forest preserves, and trails owned or maintained by the Federal Government or a State, including planting trees, carrying out reforestation, and making trail enhancements;

"(x) cleaning and improving rivers maintained by the Federal Government or a State;

"(xi) full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps (including youth corps programs under subtitle I, the Public Lands Corps established under the Public Lands Corps Act of 1993, the Urban Youth Corps established under section 106 of the National and Community Service Trust Act of 1993, and other conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands or Hawaiian home lands), that—

"(I) undertakes meaningful service projects with visible public benefits, including projects involving urban renewal, sustaining natural resources, or improving human services;

"(II) includes as participants youths and young adults between the ages of 16 and 25, inclusive, and at least 50 percent of whom are out-of-school youths and other disadvantaged youths (such as youths with limited basic skills, youths in foster care who are becoming too old for foster care, youths of limited-English proficiency, homeless youths, youths who are individuals with disabilities), and youths who are economically disadvantaged who are between those ages; and

"(III) provides those participants who are youths and young adults with—

"(aa) crew-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services including mentoring; and

"(bb) the opportunity to develop citizenship values and skills through service to their community and the United States;

"(xii) projects designed to renew and rehabilitate National Park resources and enhance services and learning opportunities for National Park visitors, communities, and schools; and

"(xiii) other activities addressing unmet environmental needs as the Corporation may designate.

"(B) CLEAN ENERGY CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

"(i) the number of housing units of low-income households weatherized or retrofitted to significantly improve energy efficiency and reduce carbon emissions;

"(ii) annual energy costs (to determine savings in those costs) at facilities where participants have provided service;

"(iii) the number of students and youth receiving education or training in energy-efficient and environmentally conscious practices;

"(iv) the number of national parks, State parks, city parks, county parks, forest preserves, or trails or rivers owned or maintained by the Federal Government or a State, that are cleaned or improved;

"(v) another indicator relating to clean energy that the Corporation, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy and the Department of Interior, as appropriate, establishes for a given year;

"(vi) another indicator relating to education or skill attainment for clean energy jobs that the Corporation, in consultation with the Secretary of Labor, establishes for a given year;

"(vii) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to clean energy, or education or skill attainment for clean energy jobs, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

"(viii) any additional local indicator (applicable to a particular eligible entity and on which improvement in performance is needed) that is approved by the Corporation.

"(4) VETERANS' CORPS.—A Veterans' Corps that identifies unmet needs of veterans through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

"(A) ACTIVITIES.—A Veterans' Corps described in this paragraph may carry out activities such as—

"(i) promoting community-based efforts to meet the unique needs of military families while a family member is deployed and upon that family member's return home;

"(ii) recruiting veterans, particularly returning veterans, into service opportunities;

"(iii) working to assist veterans in developing their educational opportunities, including opportunities for professional certification;

"(iv) promoting efforts within the community to serve the needs of veterans and active duty military members;

"(v) assisting veterans in developing mentoring relationships with economically disadvantaged students;

"(vi) developing projects to assist disabled, unemployed, and older veterans; and

"(vii) other activities addressing unmet veterans' needs as the Corporation may designate.

"(B) VETERANS' CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

"(i) the number of housing units created for veterans;

"(ii) the number of veterans who pursue educational opportunities;

"(iii) the number of veterans receiving professional certification;

"(iv) outreach efforts to service organizations serving the needs to veterans;

"(v) the number of veterans engaged in service opportunities;

"(vi) the number of military families assisted by organizations while the family member is deployed and when the family member returns from deployment;

"(vii) the number of economically disadvantaged students engaged in mentoring relationships with veterans;

"(viii) projects designed to meet identifiable public needs with a specific emphasis on projects in support of veterans, especially disabled and older veterans;

"(ix) another indicator relating to education or skill attainment that assists in providing veterans with the skills to address identifiable public needs, that is approved by the Corporation;

"(x) other additional indicators that improve the lives of veterans and families of individuals deployed in service, that the Corporation, in consultation with the Department of Veterans Affairs, establishes for a given year; and

"(xi) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

"(b) ELIGIBLE OPPORTUNITY CORPS PROGRAMS.—The recipient of a grant under section 121(a) and each Federal agency operating or supporting a national service program under section 121(b) shall, directly or through grants or subgrants to other entities, carry out or support full-or part-time national service programs, including summer programs, to address unmet community needs.

"(1) ELIGIBLE PROGRAMS.—National service programs under this subsection shall be known as 'Opportunity Corps' and may include the following types of national service programs:

"(A) A community corps program that meets unmet human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders.

"(B) A professional corps program that recruits and places qualified participants in positions—

"(i) such as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

"(ii) that may include a salary in excess of the maximum living allowance authorized in subsection (a)(3) of section 140, as provided in subsection (c) of such section; and

"(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

"(C) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities, including the issues of rural poverty, health care, education, and job training.

"(D) A program that seeks to eliminate hunger in communities and rural areas through service in projects—

"(i) involving food banks, food pantries, and nonprofit organizations that provide food during emergencies;

"(ii) involving the gleaning of prepared and unprepared food that would otherwise be discarded as unusable so that the usable portion of such food may be donated to food banks, food pantries, and other nonprofit organizations;

"(iii) seeking to address the long-term causes of hunger through education and the delivery of appropriate services; or

"(iv) providing training in basic health, nutrition, and life skills necessary to alleviate hunger in communities and rural areas.

"(E) An E–Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs which seek to increase access to technology and the benefits thereof in such community.

"(F) A program that engages citizens in public safety, public health, and emergency and disaster preparedness, and may include the recruitment and placing of qualified participants in positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers, and may engage Federal, State, and local stakeholders in collaboration to organize more effective responses to issues of public safety and public health, emergencies, and disasters.

"(G) A program, initiative, or partnership that seeks to expand the number of mentors for youths (including by recruiting high-school and college-aged individuals to enter into mentoring relationships), including mentors for disadvantaged youths, either through provision of direct mentoring services, provision of supportive services to direct mentoring service organizations (in the case of a partnership), or through the creative utilization of current and emerging technologies to connect youth with mentors.

"(H) A program that has the primary purpose of re-engaging court-involved youth and adults with the goal of reducing recidivism.

"(I) Programs to support the needs of veterans or active duty service members and their families, including providing opportunities to participate in service projects.

"(J) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

"(2) OPPORTUNITY CORPS INDICATORS.—The corps indicators for programs under this subsection are—

"(A) financial literacy among economically disadvantaged individuals;

"(B) housing units built or improved for economically disadvantaged individuals or low-income families;

"(C) economically disadvantaged individuals with access to job training and other skill enhancement;

"(D) economically disadvantaged individuals with access to information about job placement services;

"(E) a reduced crime rate in the community where service is provided;

"(F) established or improved access to technology in the community where service is provided;

"(G) mentor relationships among disadvantaged youth;

"(H) food security among economically disadvantaged individuals;

"(I) service opportunities through the programs described in subparagraphs (A), (B), and (F) for economically disadvantaged individuals;

"(J) an additional indicator relating to improving economic opportunity for economically disadvantaged individuals that the Corporation, in consultation with the Secretary of Health and Human Services, the Secretary of Labor, and the Attorney General, establishes for a given year;

"(K) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving economic opportunity for economically disadvantaged individuals, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section;

"(L) increase capacity of local nonprofit organizations to meet the needs of disadvantaged people and communities;

"(M) any additional indicator proposed by a Governor or State Commission that is approved by the Corporation; and

"(N) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

"(c) PRIORITIES FOR CERTAIN REQUIRED CORPS.—In awarding financial assistance and approved national service positions to eligible entities proposed to carry out the required corps described in subsection (a)—

"(1) in the case of a corps described in subsection (a)(2)—

"(A) the Corporation may give priority to such eligible entities that propose to develop policies to provide, and provide, support for participants who, after completing service under this section, will undertake careers to improve performance on health indicators; and

"(B) the Corporation shall give priority to such eligible entities that propose to carry out national service programs in medically underserved areas (as designated by the Secretary of Health and Human Services as an area with a shortage of personal health services); and

"(2) in the case of a corps described in subsection (a)(3), the Corporation shall give priority to such eligible entities that propose to recruit individuals for the Clean Energy Corps so that significant percentages of participants in the Corps are economically disadvantaged individuals, and provide to such individuals support services and education and training to develop skills needed for clean energy jobs for which there is current demand or projected future demand.

"(d) CONSULTATION ON PERFORMANCE INDICATORS.—The Corporation shall consult with the Secretaries of Education, Health and Human Services, Energy, Veterans Affairs, Department of Interior, the Administrator of the Environmental Protection Agency, and the Attorney General, as appropriate, in developing additional performance indicators for the corps and programs described in subsections (a) and (b).

"(e) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

"(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

"(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals with extensive experience in developing and administering effective national service programs or regarding the delivery of human, educational, environmental, or public safety services to communities or persons.

"(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

"(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, disadvantaged youth, and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

"(f) NATIONAL SERVICE PRIORITIES.—

"(1) ESTABLISHMENT.—

"(A) BY CORPORATION.—In order to concentrate national efforts on meeting certain human, educational, environmental, or veterans' needs and to achieve the other purposes of this Act, the Corporation, consistent with the strategic plan approved under section 192A(g)(1), shall establish (and may periodically alter) priorities regarding the types of national service programs and corps to be assisted under section 129 and the purposes for which such assistance may be used. In establishing such priorities, the Corporation—

"(i) shall select 2 or more of the corps described in subsection (a) to receive assistance under section 129(d); and

"(ii) may select other programs described in subsection (b) to receive assistance under such section.

"(B) BY STATES.—Consistent with paragraph (4), States shall establish, and through the national service plan process described in section 178(e)(1), periodically alter priorities as appropriate regarding the national service programs to be assisted under section 129(d) and 129(e). The State priorities shall be subject to Corporation review as part of the application process under section 130.

"(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—

"(A) a description of any alteration made in the priorities since the previous notice; and

"(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

"(3) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

"(A) receive funding under this subtitle for multiple years; and

"(B) would be adversely affected by annual revisions in such national service priorities.

"(4) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

"(g) REQUIREMENTS FOR TUTORS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

"(A) either—

"(i) obtained their high school diploma; or

"(ii) passed a proficiency test demonstrating that such individuals have the skills necessary to achieve program goals; and

"(B) have successfully completed pre- and in-service training for tutors.

"(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

"(h) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

"(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

"(2) offer high quality, research-based pre- and in-service training for tutors.

"(i) CITIZENSHIP TRAINING.—The Corporation shall establish requirements for recipients of assistance under the national service laws relating to the promotion of citizenship and civic engagement, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based and are appropriate to the age, education, and experience of the participants enrolled in approved national service positions and approved summer of service positions.

"(j) REPORT.—Not later than 60 days after the end of each fiscal year for which the Corporation makes grants under section 121(a), the Corporation shall prepare and submit to the appropriate committees of Congress a report containing—

"(1) information describing how the Corporation allocated financial assistance and approved national service positions among eligible entities proposed to carry out national service corps described in that subsection (a) for that fiscal year; and

"(2) information describing the amount of financial assistance and the number of approved national service positions the Corporation provided to each national service corps described in subsection (a) for that fiscal year;

"(3) a measure of the extent to which the national service corps improved performance on the corresponding indicators; and

"(4) information describing how the Corporation is coordinating—

"(A) the national service corps funded under subsection (a); with

"(B) applicable programs, as determined by the Corporation, carried out under subtitles B of this title, and part A of title I and parts A and B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001, 5011) that improve performance on those indicators or otherwise address identified community needs.".

SEC. 1303. TYPES OF POSITIONS.

Section 123 (42 U.S.C. 12573) is amended—

(1) in paragraph (2)(A) by inserting after "subdivision of a State," the following: "a Territory,"; and

(2) in paragraph (5) by inserting "National" before "Civilian Community Corps".

SEC. 1304. CONFORMING REPEAL RELATING TO TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 12575) is repealed.

SEC. 1305. ASSISTANCE TO STATE COMMISSIONS; CHALLENGE GRANTS.

Section 126 (42 U.S.C. 12576) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "$125,000 and $750,000" and inserting "$250,000 and $1,000,000"; and

(B) by striking paragraph (2) and inserting the following:

"(2) MATCHING REQUIREMENT.—In making grants to a State under this subsection, the Corporation shall require the State to provide matching funds of $1 from non-Federal sources for every $1 provided by the Corporation.

"(3) ALTERNATIVE.—Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to use an alternative match as follows:

"(A) FIRST $100,000.—For the first $100,000 of grant amounts provided by the Corporation, a State shall not be required to provide matching funds.

"(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not exceeding $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $2 provided by the Corporation.

"(C) AMOUNTS GREATER THAN $200,000.—For grant amounts of more than $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $1 provided by the Corporation.

"(D) RESERVATION OF FUNDS.—The corporation shall ensure that it reserves funds for assistance provided under section 126(a) at an aggregate amount equal to that of at least 150 percent allocated in fiscal year 2004 for the first full fiscal year after the date of enactment of the GIVE Act. Each subsequent year the corporation shall increase the amount reserved proportionately including minimum and maximum amounts described in paragraph (1) to the amount of program funding allocated in subtitle C.";

(2) in subsection (b), by striking the period and inserting "and to support, including through mission-assignments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5147), nonprofit organizations and public agencies responding to the needs of communities in disasters."; and

(3) in subsection (c)—

(A) in paragraph (1), by striking "to national service programs that receive assistance under section 121" and inserting "to programs supported under the national service laws"; and

(B) by striking paragraph (3) and inserting the following:

"(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, grants under this subsection may provide not more

than $1 of assistance for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds as matching funds if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.".

SEC. 1306. ALLOCATION OF ASSISTANCE TO STATES AND OTHER ELIGIBLE ENTITIES.

Section 129 (42 U.S.C. 12581) is amended to read as follows:

"SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

"(a) 1-PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The amount allotted as a grant to each such Territory under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the Territory bears to the total population of such Territories.

"(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes, including nonprofit organizations applying on behalf of a tribe or tribes, to be allotted by the Corporation on a competitive basis. In the case of a nonprofit organization applying on behalf of a tribe or tribes such nonprofit organization shall include in its application—

"(1) written documentation from such tribe or tribes that such tribe or tribes has approved the application and authorized such nonprofit organization to submit an application on the behalf of the tribe or tribes; and

"(2) certification that the nonprofit organization will use the grant exclusively to serve members of such tribe or tribes and will, to the maximum extent practicable, do so on tribal lands.

"(c) RESERVATION OF APPROVED POSITIONS.—The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the Civilian Community Corps Demonstration Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (d) and (e) for that fiscal year.

"(d) ALLOTMENT FOR COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year and subject to section 133(d)(3), the Corporation shall reserve up to 62.7 percent for grants awarded on a competitive basis to States for national service programs and to nonprofit organizations seeking to operate a national service program in 2 or more States.

"(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

"(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

"(2) ALLOTMENTS.—The amount allotted as a grant to each such State under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 35.3 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

"(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year must be at least $600,000, or 0.5 percent of the amount allocated for the State formula under this section, whichever is greater.

"(f) EFFECT OF FAILURE TO APPLY.—If a State or Territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or Territory to—

"(1) make grants (and provide approved national service positions in connection with such grants) to other community-based organizations under section 121 that propose to carry out national service programs in such State or Territory; and

"(2) make a reallotment to other States or Territories with approved applications submitted under section 130, to the extent community-based organizations do not apply as described in paragraph (1).

"(g) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a recipient under this section shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130.

"(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

"(i) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

"(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

"(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

"(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under section 126.

"(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—

"(1) RESERVATION.—To make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose, and subject to the limitation in paragraph (2), the Chief Executive Officer shall reserve not less than 1 percent from the amount allocated to carry out program grants under the national service laws.

"(2) LIMITATION.—The amount reserved in paragraph (1) may not exceed $10,000,000.

"(3) REMAINDER.—After making grants under subsection (k), excess funds may be used by the Chief Executive Officer for other activities under section 501(a)(2).

"(l) AUTHORITY FOR FIXED-AMOUNT GRANTS.—

"(1) IN GENERAL.—

"(A) AUTHORITY.—From amounts appropriated for a fiscal year to provide financial assistance under the national service laws, the Corporation, subject to the limitation in subparagraph (B) may provide assistance in the form of fixed-amount grants in an amount determined by the Corporation under paragraph (2) rather than on the basis of actual costs incurred by a program.

"(B) LIMITATION.—Other than fixed-amount grants to support programs described in section 129A, for the 1-year period beginning on the date of enactment of the GIVE Act, the Corporation may provide assistance in the form of fixed-amount grants only to support full-time positions.

"(2) DETERMINATION OF AMOUNT OF FIXED-AMOUNT GRANTS.—A fixed-amount grant authorized by this subsection shall be in an amount determined by the Corporation that is—

"(A) significantly less than the reasonable and necessary costs of administering the program receiving the grant; and

"(B) based on the amount per individual enrolled in the program receiving the grant, taking into account—

"(i) the program's capacity to manage funds and achieve programmatic results;

"(ii) the number of national service positions approved for the program;

"(iii) the proposed design of the program;

"(iv) whether the program provides service to or involves the participation of disadvantaged youth or otherwise would reasonably incur a relatively higher level of costs; and

"(v) such other factors as the Corporation may consider under section 133 in considering applications for assistance.

"(3) REQUIREMENTS FOR GRANT RECIPIENTS.—In awarding a fixed-amount grant under this subsection, the Corporation—

"(A) shall require the grant recipient—

"(i) to return a pro rata amount of the grant funds based upon the difference between the number of hours served by a participant and the minimum number of hours for completion of a term of service (as established by the Corporation);

"(ii) to report on standardized and other performance measures established by the Corporation;

"(iii) to cooperate with any evaluation activities undertaken by the Corporation; and

"(iv) to provide assurances that additional funds shall be raised in support of the proposed program, in addition to those received under the national service laws; and

"(B) may adopt other terms and conditions as it considers necessary or appropriate based on the relative risks (as determined by the Corporation) associated with any application for a fixed-amount grant.

"(4) OTHER REQUIREMENTS NOT APPLICABLE.—Limitations on administrative costs and matching fund documentation requirements shall not apply to fixed-amount grants provided in accordance with this subsection.

"(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall relieve a grant recipient of the responsibility to comply with the requirements of the Single Audit Act (31 U.S.C. 7501 et seq.) or other requirements of Office of Management and Budget Circular A–133.".

SEC. 1307. ADDITIONAL AUTHORITY.

Part II of subtitle C of title I is amended by inserting after section 129 (42 U.S.C. 12581) the following:

"SEC. 129A. EDUCATION AWARDS ONLY PROGRAM.

"(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed-amount grants (in accordance with section 129(l)), provide operational assistance to programs that receive approved national service positions but do not receive funds under section 121(a).

"(b) LIMIT ON CORPORATION GRANT FUNDS.—Operational support under this section may not exceed $600 per individual enrolled in an approved national service position and may reach $800 per individual if the program supports at least 50 percent disadvantaged youth.

"(c) ADJUSTMENTS FOR INFLATION.— For each year after 2008, the amounts specified in subsection (b) shall be adjusted for inflation as measured by the Consumer Price Index for all Urban Consumers published by the Secretary of Labor.

"(d) INAPPLICABLE PROVISIONS.—The provisions under section 129(l)(4) and the living allowances and other benefits under sections 131(e) and section 140 (other than individualized support services for disabled members under section 140(f)) shall not apply to programs that receive assistance under this section.".

SEC. 1308. STATE SELECTION OF PROGRAMS.

Section 130 (42 U.S.C. 12582) is amended—

(1) in subsection (a)—

(A) by inserting after "State," the following: "Territory,"; and

(B) by striking "institution of higher education, or Federal agency" and inserting "or institution of higher education";

(2) in subsection (b)—

(A) in paragraph (9), by striking "section 122(c)" and inserting "section 122(f)"; and

(B) in paragraph (12), by inserting "municipalities and county governments in the areas being served," after "services,".

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "jobs or positions" and inserting "proposed positions"; and

(ii) by striking ", including" and all that follows through the period at the end and inserting a period;

(B) in paragraph (2) by inserting "proposed" before "minimum"; and

(C) by adding at the end the following:

"(3) In the case of a nonprofit organization operating programs in 2 or more States, a description of the manner and extent to which the State Commissions of each State in which the nonprofit organization intends to operate were consulted and the nature of the consultation.";

(4) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively and inserting after subsection (c) the following:

"(d) ADDITIONAL REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) for programs described in 122(a) shall also contain—

"(1) measurable goals, to be used for annual measurements of the program on 1 or more of the corresponding performance indicators;

"(2) information describing how the applicant proposes to utilize funds to improve performance on the corresponding performance indicators utilizing participants, including the activities in which such participants will engage to improve performance on those indicators;

"(3) information identifying the geographical area in which the eligible entity proposed to carry out the program proposes to use funds to improve performance on the corresponding performance indicators including demographic information on the students or individuals, as appropriate, in such area, and statistics demonstrating the need to improve such indicators in such area; and

"(4) if applicable, information on how the eligible entity will work with other community-based agencies to carry out activities to improve performance on the corresponding performance indicators using such funds.";

(5) in subsection (f)(2) (as so redesignated) by striking "were selected" and inserting "were or will be selected";

(6) in subsection (g) (as so redesignated)—

(A) in paragraph (1), by striking "a program applicant" and inserting "an applicant"; and

(B) in paragraph (2)—

(i) in the heading, by striking "PROGRAM APPLICANT" and inserting "APPLICANT";

(ii) in the matter preceding subparagraph (A), by striking "program applicant" and inserting "applicant";

(iii) in subparagraph (A)—

(I) by inserting after "subdivision of a State," the following: "Territory,"; and

(II) by striking "institution of higher education, or Federal agency" and inserting "or institution of higher education"; and

(iv) in subparagraph (B)—

(I) by inserting after "subdivision of a State," the following: "Territory,"; and

(II) by striking "institution of higher education, or Federal agency" and inserting "or institution of higher education"; and

(7) in subsection (h) (as so redesignated), by striking the period and inserting "or is already receiving financial assistance from the Corporation.".

SEC. 1309. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

Section 131(c) (42 U.S.C. 12583(c)) is amended—

(1) in paragraph (1)—

(A) by amending subparagraph (A) to read as follows:

"(A) the community served, including, if appropriate, municipal and county governments in the area served, and potential participants in the program;";

(B) in subparagraph (B), by inserting "and" after "program;"; and

(C) by adding at the end the following:

"(C) municipalities and county governments in the areas being served;"; and

(2) by amending paragraph (3) to read as follows:

"(3) in the case of a program that is not funded through a State, including programs operated by nonprofit organizations seeking to operate a national service program in 2 or more States—

"(A) consult with and coordinate with the State Commission for the State in which the program operates; and

"(B) obtain confirmation from the State Commission that the applicant seeking assistance under this Act has consulted with and coordinated with the State Commission when seeking to operate a program in that State.".

SEC. 1310. CONSIDERATION OF APPLICATIONS.

Section 133 (42 U.S.C. 12585) is amended—

(1) in subsection (c)(6), insert after subparagraph (E) the following:

"(F) Areas that have a mortgage foreclosure rate greater than the national average mortgage foreclosure rate for the most recent 12 months for which satisfactory data are available.";

(2) in subsection (b)(2)(B), by striking "jobs or"; and

(3) in subsection (d)(2)—

(A) by striking "and" at the end of subparagraph (F);

(B) by striking the period at the end of subparagraph (G) and inserting a semicolon; and

(C) by adding at the end the following:

"(H) programs that recruit veterans, particularly returning veterans, into service opportunities; and

"(I) programs that promote community-based efforts to meet the unique needs of military families while a member of the family is deployed, or when a member of the family returns from deployment.".

SEC. 1311. DESCRIPTION OF PARTICIPANTS.

Section 137 (42 U.S.C. 12591) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (b)—

(A) in paragraph (1), by striking "paragraph (4)" and inserting "paragraph (3)"; and

(B) in paragraph (2), by striking "between the ages of 16 and 25" and inserting "a 16-year-old out of school youth or an individual between the ages of 17 and 25"; and

(3) in subsection (c), by striking "(a)(5)" and inserting "(a)(4)".

SEC. 1312. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

Section 138 (42 U.S.C. 12592) is amended—

(1) in subsection (a) by striking "conducted by the State" and all that follows through "or other entity" and inserting "conducted by the entity"; and

(2) in subsection (e)(2)(C) by inserting before the semicolon at the end the following: ", particularly those who were considered at the time of their service disadvantaged youth".

SEC. 1313. TERMS OF SERVICE.

Section 139 (42 U.S.C. 12593) is amended—

(1) in subsection (b)(1), by striking "not less than 9 months and";

(2) in subsection (b)(2), by striking "during a period of—" and all that follows through the period at the end and inserting "during a period of not more than 2 years."; and

(3) in subsection (b) by inserting at the end the following:

"(4) EXTENSION OF TERM FOR DISASTER PURPOSES.—

"(A) An individual in an approved national service position performing service directly related to disaster relief efforts may continue in a term of service for a period of 90 days beyond the period otherwise specified in sections 139(b) and 153 (e) or in section 104 of the Domestic Volunteer Service Act of 1973.

"(B) Service performed by an individual in an originally-agreed to term of service and service performed under this paragraph shall constitute a single term of service for purposes of sections 146(b) and (c) but may not receive an additional education award under section 141.";

(4) in subsection (c)—

(A) in paragraph (1)(A), by striking "as demonstrated by the participant" and inserting "as determined by the organization responsible for granting a release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the original term of service";

(B) in paragraph (2)(A), by striking "provide to the participant that portion of the national service educational award" and inserting "certify the participant's eligibility for that portion of the national service educational award"; and

(C) in paragraph (2)(B), by striking "to allow return to the program with which the individual was serving in order".

SEC. 1314. ADJUSTMENTS TO LIVING ALLOWANCE.

Section 140 (42 U.S.C. 12594) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "paragraph (3)" and inserting "paragraphs (2) and (3)";

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as (2);

(D) by inserting after paragraph (2) (as so redesignated) the following:

"(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided to an individual whose term of service includes hours for which the individual receives Federal work study wages shall be reduced by the amount of the individual's Federal work study award."; and

(E) in paragraph (4), by striking "a reduced term of service under section 139(b)(3)" and inserting "a term of service that is less than 12 months";

(2) in subsection (b), by striking "shall include an amount sufficient to cover 85 percent of such taxes" and all that follows through the period at the end and inserting "may be used to pay such taxes.";

(3) in subsection (c)—

(A) in paragraph (1) by adding "and" at the end;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as (2);

(4) in subsection (d)(1), by striking the second sentence; and

(5) by striking subsections (g) and (h).

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

SEC. 1401. AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST.

Section 145 (42 U.S.C. 12601) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by striking "section 148(e)" and inserting "section 148(f)"; and

(B) in paragraph (2), by striking "pursuant to section 196(a)(2)" and inserting "pursuant to section 196(a)(2), if the terms of such donations direct that they be deposited in the National Service Trust"; and

(2) in subsection (c), by striking "for payments of national service educational awards in accordance with section 148." and inserting "for—

"(1) payments of summer of service educational awards and national service educational awards in accordance with section 148; and

"(2) payments of interest in accordance with section 148(f).".

SEC. 1402. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

Section 146 (42 U.S.C. 12602) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "if the individual" and inserting "if the organization responsible for an individual's supervision certifies that the individual";

(B) by striking paragraphs (1), (2), and (3) and inserting the following:

"(1) met the applicable eligibility requirements for the position; and

"(2)(A) for a full-time or part-time educational award, successfully completed the required term of service described in subsection (b) in an approved national service position; or

"(B) for a partial educational award—

"(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under section 139(c); and

"(ii) served at least 15 percent of the required term of service described in subsection (b); and"; and

(C) by redesignating paragraph (4) as paragraph (3);

(2) by striking subsection (c) and inserting the following:

"(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, in national service educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The ag-

gregate value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of national service educational awards the individual may receive.";

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking "SEVEN-YEAR REQUIREMENT" and inserting "IN GENERAL";

(ii) by striking "An" and inserting "Subject to paragraph (2), an"; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking "or" at the end;

(ii) in subparagraph (B) by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(C) is an individual eligible to receive a summer of service educational award, in which case the individual shall have a 10-year period to use such educational award beginning on the date that the individual completes the term of service that is the basis of such educational award."; and

(4) in subsection (e)(1)—

(A) by inserting after "qualifying under this section" the following: "or under section 120(c)(8)"; and

(B) by inserting after "to receive a national service educational award" the following: "or a summer of service educational award".

SEC. 1403. DETERMINATION OF THE AMOUNT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

Section 147 (42 U.S.C. 12603) is amended—

(1) by amending subsection (a) to read as follows:

"(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having a value equal to the maximum amount of a Federal Pell Grant that a student eligible under section 401(b)(2)(A) of the Higher Education Act of 1965 may receive for the award year for which the national service position is approved by the Corporation."; and

(2) in subsection (b), by inserting after "for each of not more than 2 of such terms of service" the following: "in the period of one year".

SEC. 1404. DISBURSEMENT OF EDUCATIONAL AWARDS.

Section 148 (42 U.S.C. 12604) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "cost of attendance" and inserting "cost of attendance or other educational expenses";

(B) in paragraph (3), by striking "and";

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

"(4) to pay expenses incurred in enrolling in an educational institution or training establishment that meets the requirements of chapter 36 of title 38, United States Code (38 U.S.C. 3451 et seq.); and";

(2) in subsection (b)(1) by inserting after "the national service educational award of the individual" the following: ", or an eligible individual under section 120(c)(8) who received a summer of service educational award";

(3) in subsection (b)(2) by inserting after "the national service educational award" the following: "or the summer of service educational award, as applicable,";

(4) in subsection (b)(5) by inserting after "the national service educational award" the following: "or the summer of service educational award, as applicable";

(5) in subsection (b)(7)—

(A) in subparagraph (A), by striking ", other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078–2); and" and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to cover a student's educational expenses and made, insured, or guaranteed by—

"(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

"(ii) the direct student loan program under part D of title IV of such Act;

"(iii) a State agency; or

"(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.";

(6) in subsection (c)(1), by inserting after "national service educational award" the following: ", or an eligible individual under section 120(c)(8) who desires to apply the individual's summer of service educational award,";

(7) in subsection (c)(2)(A), by inserting after "national service educational award" the following: "or summer of service educational award, as applicable,";

(8) in subsection (c)(2)(C)(iii), by inserting after "national service educational awards received under this subtitle" the following: "or summer of service educational awards received under section 120(c)(8)";

(9) in subsection (c)(3), by inserting after "national service educational awards" the following: "and summer of service educational awards";

(10) in subsection (c)(5)—

(A) by inserting after "national service educational award" the following: ", or summer of service educational award, as applicable,"; and

(B) by inserting after "additional" the following: "summer of service educational awards and additional";

(11) in subsection (c)(6), by inserting after "national service educational award" the following: "and summer of service educational award";

(12) in subsection (d), by inserting after "national service educational awards" the following: "and summer of service educational awards";

(13) in subsection (e), by striking "subsection (b)(6)" and inserting "subsection (b)(7)"; and

(14) in subsection (f), by striking "Director" and inserting "Chief Executive Officer".

SEC. 1405. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) IN GENERAL.—Subtitle D of title I (42 U.S.C. 12601 et seq.) is further amended by adding at the end the following new section:

"SEC. 149. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

"(a) TIMING AND RECORDING REQUIREMENTS.—

"(1) IN GENERAL.—Notwithstanding subtitles C and D, and any other provision of law, in approving a position as an approved national service position, the Corporation—

"(A) shall approve the position at the time the Corporation—

"(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or a summer of service educational award; or

"(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

"(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program and remain available.

"(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

"(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to the appropriate committees of Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

"(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

"(A) during fiscal year 2009; and

"(B) during any subsequent fiscal year.

"(b) RESERVE ACCOUNT.—

"(1) ESTABLISHMENT AND CONTENTS.—

"(A) ESTABLISHMENT.—Notwithstanding subtitles C and D, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

"(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

"(i) during fiscal year 2009, a portion of the funds that were appropriated for fiscal year 2009 or a previous fiscal year under section 501(a)(2), were made available to carry out subtitle C, D, or E of this

title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 120(c)(8), and remain available; and

"(ii) during fiscal year 2009 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available.

"(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

"(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions and summer of service educational awards; or

"(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions or summer of service educational awards, as applicable.

"(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

"(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards or summer of service educational awards under section 148.".

(b) CONFORMING REPEAL.—Section 2 of the Strengthen AmeriCorps Program Act (Public Law 108–145; 117 Stat. 844; 42 U.S.C. 12605) is repealed.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

SEC. 1501. PURPOSE.

Section 151 (42 U.S.C. 12611) is amended to read as follows:

"SEC. 151. PURPOSE.

"It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. Such needs to be met under such programs include those related to—

"(1) natural and other disasters;

"(2) infrastructure improvement;

"(3) environmental stewardship and conservation;

"(4) energy conservation;

"(5) urban and rural development; and

"(6) other unmet needs consistent with the purpose as described in this section.".

SEC. 1502. PROGRAM COMPONENTS.

Section 152 (42 U.S.C. 12612) is amended—

(1) by amending the section heading to read as follows:

"SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.".

(2) in subsection (a), by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program";

(3) in subsection (b)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) by striking "a Civilian Community Corps" and inserting "a National Civilian Community Corps";

(4) in the heading of subsection (c), by striking "PROGRAMS" and inserting "COMPONENTS"; and

(5) in subsection (c), by striking "program components are residential programs" and all that follows and inserting "programs referred to in subsection (b) may include a residential component.".

SEC. 1503. ELIGIBLE PARTICIPANTS.

Section 153 (42 U.S.C. 12613) is amended—

(1) in subsection (a)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) by striking "on Civilian Community Corps" and inserting "on National Civilian Community Corps";

(2) in subsection (b), by striking "if the person" and all that follows through the period at the end and inserting "if the person will be at least 18 years of age on or before December 31 in the calendar year in which the individual enrolls in the program.";

(3) in subsection (c)—

(A) by striking "BACKROUNDS" and inserting "BACKGROUNDS"; and

(B) by adding at the end the following: "The Director shall take appropriate steps, including through outreach and recruitment activities carried out by the chief executive officer, to increase the percentage of participants in the program who are disadvantaged youth toward 50 percent of all participants by year 2011. The Director shall report to the appropriate committees of Congress biennially on such efforts, any challenges faced, and the annual participation rates of disadvantaged youth in the program."; and

(4) by striking subsection (e).

SEC. 1504. SUMMER NATIONAL SERVICE PROGRAM.

Section 154 (42 U.S.C. 12614) is amended—

(1) in subsection (a)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) by striking "on Civilian Community Corps" and inserting "on National Civilian Community Corps"; and

(2) in subsection (b), by striking "shall be" and all that follows through the period at the end and inserting "shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.".

SEC. 1505. TEAM LEADERS.

Section 155 (42 U.S.C. 12615) is amended—

(1) by amending the section heading to read as follows:

"SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.";

(2) in subsection (a)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) by striking "the Civilian Community Corps shall" and inserting "the National Civilian Community Corps shall";

(3) in subsection (b)—

(A) by amending the subsection heading to read as follows:

"(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—";

(B) in paragraph (1), by inserting "National" before "Civilian Community Corps";

(C) in paragraph (3)—

(i) by striking "superintendent" and inserting "campus director"; and

(ii) by striking "camp" and inserting "campus"; and

(D) by adding at the end the following:

"(4) TEAM LEADERS.—The Director may select from Corps members individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps to perform service that includes leading and supervising teams of Corps members. Team leaders shall—

"(A) be selected without regard to the age limitation under section 153(b);

"(B) be members of the National Civilian Community Corps; and

"(C) be provided the rights and benefits applicable to Corps members, except that the limitation on the amount of living allowance shall not exceed 10 percent more than the amount established under section 158(b).";

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows:

"(d) CAMPUSES.—";

(B) in paragraph (1)—

(i) by amending the paragraph heading to read as follows:

"(1) UNITS TO BE ASSIGNED TO CAMPUSES.—";

(ii) by striking "in camps" and inserting "in campuses";
(iii) by striking "camp" and inserting "campus"; and
(iv) by striking "in the camps" and inserting "in the campuses";
(C) by amending paragraph (2) to read as follows:
"(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.";
(D) in paragraph (3)—
(i) by amending the paragraph heading to read as follows:
"(3) ELIGIBLE SITE FOR CAMPUS.—";
(ii) by striking "A camp may be located" and inserting "A campus must be cost-effective and may, upon the completion of a feasibility study, be located";
(5) in subsection (e)—
(A) by amending the paragraph heading to read as follows:
"(e) DISTRIBUTION OF UNITS AND CAMPUSES.—";
(B) by striking "camps are distributed" and inserting "campuses are cost-effective and are distributed"; and
(C) by striking "rural areas" and all that follows through the period at the end and inserting "rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region."; and
(6) in subsection (f)—
(A) in paragraph (1)—
(i) by striking "superintendent" and inserting "campus director"; and
(ii) by striking "camp" both places such term appears and inserting "campus";
(B) in paragraph (2)—
(i) in the matter preceding subparagraph (A), by striking "superintendent of a camp" and inserting "campus director of a campus";
(ii) in subparagraph (A)—
(I) by striking "superintendent" and inserting "campus director";
(II) by striking "superintendent's" and inserting "campus director's"; and
(III) by striking "camp" each place such term appears and inserting "campus"; and
(iii) in subparagraph (B), by striking "superintendent" and inserting "campus director"; and
(C) in paragraph (3), by striking "camp superintendent" and inserting "campus director".

SEC. 1506. TRAINING.

Section 156 (42 U.S.C. 12616) is amended—
(1) in subsection (a)—
(A) by inserting "National" before "Civilian Community Corps"; and
(B) by adding at the end the following: "The Director shall ensure that to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.";
(2) in subsection (b)(1), by inserting before the period at the end the following: ", including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs"; and
(3) by amending subsection (c)(2) to read as follows:
"(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide, either directly or through grants, contracts, or cooperative agreements, the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, other qualified individuals, or organizations with expertise in training youth, including disadvantaged youth, in the skill areas described in such subsection.".

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

Section 157 (42 U.S.C. 12617) is amended—
(1) in subsection (a)—
(A) in the matter preceding paragraph (1), by inserting "National" before "Civilian Community Corps";
(B) in paragraph (1), by inserting before the semicolon the following: "with specific emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment, energy conservation, and urban and rural development"; and

(C) in paragraph (2) by striking "service learning" and inserting "service-learning";

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking "and the Secretary of Housing and Urban Development" and inserting "the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the United States Forest Service";

(B) in paragraph (1)(B)—

(i) by inserting "community-based organizations and" before "representatives of local communities"; and

(ii) by striking "camp" both places such term appears and inserting "campus"; and

(C) in paragraph (2), by inserting "State Commissions," before "and persons involved in other youth service programs."; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "superintendent" both places such term appears and inserting "campus director"; and

(ii) by striking "camp" both places such term appears and inserting "campus"; and

(B) in paragraph (2), by striking "camp superintendents" and inserting "campus directors".

SEC. 1508. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

Section 158 (42 U.S.C. 12618) is amended—

(1) in subsection (a) by inserting "National" before "Civilian Community Corps"; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting "National" before "Civilian Community Corps"; and

(ii) by inserting before the colon the following: ", as the Director determines appropriate";

(B) in paragraph (6), by striking "Clothing" and inserting "Uniforms"; and

(C) in paragraph (7), by striking "Recreational services and supplies" and inserting "Supplies".

SEC. 1509. PERMANENT CADRE.

Section 159 (42 U.S.C. 12619) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) in paragraph (1)—

(i) by inserting "including those" before "recommended"; and

(ii) by inserting "National" before "Civilian Community Corps";

(2) in subsection (b)(1), by inserting "National" before "Civilian Community Corps";

(3) in subsection (c)—

(A) in paragraph (1)(B)(i), by inserting "National" before "Civilian Community Corps"; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "The Director shall establish a permanent cadre of" and inserting "The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed"; and

(II) by inserting "National" before "Civilian Community Corps";

(ii) in subparagraph (B), by striking "The Director shall appoint the members" and inserting "The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members";

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking "the Director" and inserting "the Chief Executive Officer";

(II) in clause (iii) by striking "and" at the end;

(III) by redesignating clause (iv) as (v); and

(IV) by inserting after clause (iii) the following:

"(iv) give consideration to retired and other former law enforcement, fire, rescue, and emergency personnel, and other individuals with backgrounds in disaster preparedness, relief, and recovery; and"; and

(iv) in subparagraph (E)—

(I) by inserting after "techniques" the following: ", including techniques for working with and enhancing the development of disadvantaged youth,"; and

(II) by striking "service learning" and inserting "service-learning"; and

(C) in the first sentence of paragraph (3), by striking "the members" and inserting "other members".

SEC. 1510. CONTRACT AND GRANT AUTHORITY.

Section 161 (42 U.S.C. 12621) is amended—

(1) in subsection (a), by striking "perform any program function under this subtitle" and inserting "carry out the National Civilian Community Corps program"; and

(2) in subsection (b)(2), by inserting "National" before "Civilian Community Corps".

SEC. 1511. OTHER DEPARTMENTS.

Section 162 (42 U.S.C. 12622) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting "National" before "Civilian Community Corps"; and

(ii) in subparagraph (B)(i), by striking "the registry established by" and all that follows through the semicolon and inserting "the registry established by section 1143a of title 10, United States Code;";

(B) in paragraph (2)(A), by striking "to be recommended for appointment" and inserting "from which individuals may be selected for appointment by the Director"; and

(C) in paragraph (3), by inserting "National" before "Civilian Community Corps"; and

(2) by striking subsection (b).

SEC. 1512. ADVISORY BOARD.

Section 163 (42 U.S.C. 12623) is amended—

(1) in subsection (a)—

(A) by striking "Upon the establishment of the Program, there shall also be" and inserting "There shall be";

(B) by inserting "National" before "Civilian Community Corps Advisory Board"; and

(C) by striking "to assist" and all that follows through the period at the end and inserting "to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. Consistent with the needs outlined in section 151, the Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.";

(2) in subsection (b)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (13) and (14), respectively;

(B) by inserting after paragraph (7) the following:

"(8) The Administrator of the Federal Emergency Management Agency.

"(9) The Secretary of Transportation.

"(10) The Chief of the United States Forest Service.

"(11) The Administrator of the Environmental Protection Agency.

"(12) The Secretary of Energy."; and

(C) in paragraph (13), as so redesignated, by striking "industry," and inserting "public and private organizations,".

SEC. 1513. EVALUATION.

Section 164 (42 U.S.C. 12624) is amended—

(1) in the section heading, by striking "annual";

(2) by striking "annual evaluation" and inserting "evaluation before September 30, 2014";

(3) by inserting "National" before "Civilian Community Corps"; and

(4) by adding at the end the following: "Upon completing each such evaluation, the Corporation shall transmit to the appropriate committees of Congress a report on the evaluation.".

SEC. 1514. REPEAL OF FUNDING LIMITATION.

Section 165 (42 U.S.C. 12625) is repealed.

SEC. 1515. DEFINITIONS.

Section 166 (42 U.S.C. 12626) is amended—

(1) by striking paragraphs (2), (3), and (9);

(2) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(3) by inserting after paragraph (1) the following:

"(2) CAMPUS DIRECTOR.—The term 'campus director', with respect to a Corps campus, means the head of the campus under section 155(d).

"(3) CORPS.—The term 'Corps' means the National Civilian Community Corps required under section 155 as part of the Civilian Community Corps Program.

"(4) CORPS CAMPUS.—The term 'Corps campus' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.";

(4) in paragraph (5) (as so redesignated), by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program";

(5) in paragraph (6) (as so redesignated), by inserting "National" before "Civilian Community Corps";

(6) in paragraph (8) (as so redesignated), by striking "The terms" and all that follows through "Demonstration Program" the first place such term appears and inserting "The term 'Program' means the National Civilian Community Corps Program"; and

(7) in paragraph (9) (as so redesignated)—

(A) in the heading by striking "SERVICE LEARNING" and inserting "SERVICE-LEARNING"; and

(B) in the matter preceding subparagraph (A) by striking "service learning" and inserting "service-learning".

SEC. 1516. TERMINOLOGY.

Subtitle E of title I (42 U.S.C. 12611 et seq.) is amended—

(1) by striking the subtitle heading and inserting the following:

"Subtitle E—National Civilian Community Corps";

and

(2) in section 160(a) (42 U.S.C. 12620(a)) by inserting "National" before "Civilian Community Corps".

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking "with respect to a project" and inserting "with respect to a project authorized under the national service laws".

SEC. 1602. ADDITIONAL PROHIBITIONS ON USE OF FUNDS.

Section 174 (42 U.S.C. 12634) is amended by adding at the end the following:

"(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.".

SEC. 1603. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

Section 176 (42 U.S.C. 12636) is amended—

(1) in subsection (a)(2)(A), by striking "30 days" and inserting "1 or more periods of 30 days not to exceed 90 days in total"; and

(2) in subsection (f)—

(A) in paragraph (1), by striking "A State or local applicant" and inserting "An entity"; and

(B) in paragraph (6)—

(i) in subparagraph (C), by striking "and";

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

"(D) in a grievance filed by an individual applicant or participant—

"(i) the applicant's selection or the participant's reinstatement, as the case may be; and

"(ii) other changes in the terms and conditions of service; and".

SEC. 1604. RESOLUTION OF DISPLACEMENT COMPLAINTS.

Section 177 (42 U.S.C. 12637) is amended—

(1) in subsections (a) and (b), by striking "under this title" each place it appears and inserting "under the national service laws";

(2) in subsection (b)(1), by striking "employee or position" and inserting "employee, position, or volunteer (other than a participant under the national service laws)"; and

(3) by adding at the end the following:

"(f) PARENTAL INVOLVEMENT.—

"(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

"(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, consistent with State law, before transporting minor children, provide the reason for and obtain written permission of the children's parents.".

SEC. 1605. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

Section 178 (42 U.S.C. 12638) is amended—

(1) in subsection (c)(1), by adding at the end the following:

"(J) A representative of the volunteer sector.";

(2) in subsection (c)(3), by striking ", unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity";

(3) by striking subsection (e)(1) and inserting the following:

"(1) Preparation of a national service plan for the State that—

"(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy to meet critical community needs, including programs funded under the national service laws;

"(B) covers a 3-year period, the beginning of which may be set by the State;

"(C) is subject to approval by the chief executive officer of the State;

"(D) includes measurable goals and outcomes for the State consistent with those for national service programs as described in section 179(a)(1)(A);

"(E) ensures outreach to diverse community-based agencies that serve under-represented populations, by using established networks and registries at the State level, or establishing such networks and registries;

"(F) provides for effective coordination of funding applications submitted by the State and others within the State under the national service laws;

"(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State; and

"(H) contains such information as the State Commission considers to be appropriate or as the Corporation may require.";

(4) by redesignating subsections (f) through (j) as subsections (h) through (l), respectively;

(5) by inserting after subsection (e) the following:

"(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive, or specify alternatives to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by a State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within a State.

"(g) STATE PLAN FOR BABY BOOMER AND OLDER ADULT VOLUNTEER AND PAID SERVICE.—

"(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State must work with appropriate State agencies and private entities to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

"(2) MATTERS INCLUDED.—The State plan shall include—

"(A) recommendations for public policy initiatives, including how to best tap the population of members of the Baby Boom generation and older adults as sources of social capital and as ways to address community needs;

"(B) recommendations to the State unit on aging on—

"(i) a marketing outreach plan to businesses;

"(ii) outreach to—

"(I) non-profit organizations;

"(II) the State's Department of Education;

"(III) institutions of higher education; and

"(IV) other State agencies; and

"(C) recommendations for civic engagement and multigenerational activities, such as—

"(i) early childhood education, family literacy, and after school programs;

"(ii) respite services for older adults and caregivers; and

"(iii) transitions for members of the Baby Boom generation and older adults to purposeful work in their post career lives.

"(3) KNOWLEDGE INCORPORATED.—The State plan shall incorporate the current knowledge base regarding—

"(A) the economic impact of older workers' roles in the economy;

"(B) the social impact of older workers' roles in the community; and

"(C) the health and social benefits of active engagement for members of the Baby Boom generation and older adults.

"(4) PUBLICATION.—The State plan must be made public and be transmitted to the Chief Executive Officer."; and

(6) in subsection (k)(1) (as redesignated by this section), by striking the period at the end and inserting ", consistent with section 174(d).".

SEC. 1606. EVALUATION AND ACCOUNTABILITY.

Section 179 (42 U.S.C. 12639) is amended—

(1) by amending subsection (a) to read as follows:

"(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

"(1) the effectiveness of programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such, including—

"(A) an evaluation of performance measures, as established by the Corporation in consultation with each grantee receiving assistance under the national service laws, which may include—

"(i) number of participants enrolled and completing terms of service compared to the stated goals of the program;

"(ii) number of volunteers recruited from the community in which the program was implemented;

"(iii) if applicable based on the program design, the number of individuals receiving or benefitting from the service conducted;

"(iv) number of disadvantaged and under-represented youth participants;

"(v) sustainability of project or program, including measures to ascertain the level of community support for the project or program;

"(vi) measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service; and

"(vii) other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance; and

"(B) review of the implementation plan for reaching such measures described in subparagraph (A); and

"(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease with which recipients were able to receive services, to maximize the cost-effectiveness and the impact of such programs.";

(2) in subsection (g)—

(A) in paragraph (3), by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps"; and

(B) in paragraph (9), by striking "to public service" and all that follows through the period at the end and inserting "to engage in service that benefits the community."; and

(3) by adding at the end the following:

"(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—In addition to amounts appropriated to carry out this section, the Corporation may reserve up to 1 percent of total program funds appropriated for a fiscal year under the national service laws to support program accountability activities under this section.

"(k) CORRECTIVE PLANS.—

"(1) IN GENERAL.—A grantee that fails to reach the performance measures in subsection (a)(1)(A) as determined by the Corporation, shall reach an agreement with the Corporation on a corrective action plan to achieve the agreed upon performance measures.

"(2) ASSISTANCE.—

"(A) NEW PROGRAM.—For a program that has received assistance for less than 3 years and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall—

"(i) provide technical assistance to the grantee to address targeted performance problems relating to the performance measures in subsection (a)(1)(A); and

"(ii) require quarterly reports from the grantee on the program's progress toward achieving the performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

"(B) ESTABLISHED PROGRAMS.—For a program that has received assistance for 3 years or more and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall require quarterly reports from the grantee on the program's progress towards achieving performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

"(l) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation, a grantee or subgrantee fails to achieve the established levels of performance, the Corporation shall—

"(1) reduce the annual amount of the grant award attributable to the underperforming grantee or subgrantee by at least 25 percent; or

"(2) terminate assistance to the underperforming grantee or subgrantee, consistent with section 176(a).

"(m) REPORTS.—The Corporation shall submit to the appropriate committees of Congress not later than two years after the date of the enactment of this subsection, and annually thereafter, a report containing information on the number of—

"(1) grantees implementing corrective action plans;

"(2) grantees for which the Corporation offers technical assistance under subsection (k);

"(3) grantees for which the Corporation terminates assistance for a program under subsection (l);

"(4) entities that expressed interest in applying for assistance under a national service law but did not apply;

"(5) entities whose application was rejected; and

"(6) grantees meeting or exceeding their performance measures in subsection (a).".

SEC. 1607. TECHNICAL AMENDMENT.

Section 181 (42 U.S.C. 12641) is amended by striking "Section 414" and inserting "Section 422".

SEC. 1608. PARTNERSHIPS WITH SCHOOLS.

Section 182(b) (42 U.S.C. 12642(b)) is amended to read as follows:

"(b) REPORT.—

"(1) FEDERAL AGENCY SUBMISSION.—The head of each Federal agency shall prepare and submit to Corporation for Community and National Service a report concerning the implementation of this section, including an evaluation of the performance goals and benchmarks of the partnership programs.

"(2) REPORT TO CONGRESS.—The Corporation for National and Community Service shall prepare and submit to the appropriate committees of Congress a compilation of the information received under paragraph (1).".

SEC. 1609. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

Section 183 (42 U.S.C. 12643) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "The" and inserting "Consistent with otherwise applicable law, the"; and

(B) in paragraph (1), by inserting after "local government," the following: "Territory,";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "The" and inserting "Consistent with otherwise applicable law, the"; and

(B) in paragraph (1), by inserting after "local government," the following: "Territory,"; and

(3) by adding at the end the following:

"(c) INSPECTOR GENERAL.—Consistent with otherwise applicable law, the Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

"(1) within the possession or control of the Corporation or any State or local government, Territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act that relates to the assistance received, directly or indirectly, under this Act; and

"(2) that relates to the duties of the Inspector General under the Inspector General Act of 1978.".

SEC. 1610. ADDITIONAL ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12631 et seq.) is amended by adding at the end the following:

"SEC. 185. SUSTAINABILITY.

"(a) GOALS.—To ensure that recipients of assistance under the national service laws are carrying out sustainable projects or programs, the Corporation, after collaboration with State Commissions and consultation with recipients of assistance under the national service laws, may set sustainability goals supported by policies and procedures to—

"(1) build the capacity of the projects that receive assistance under the national service laws to meet community needs and lessen the dependence on Federal dollars to do so, taking into consideration challenges that programs in underserved rural or urban areas may face;

"(2) provide technical assistance to aid the recipients of assistance under the national service laws in acquiring and leveraging non-Federal funds for the projects; and

"(3) implement measures to ascertain whether the projects are generating sufficient community support.

"(b) ENFORCEMENT.—If a recipient does not meet the sustainability goals in subsection (a) for a project, the Corporation may take action as described in sections 176 and 179.

"SEC. 186. GRANT PERIODS.

"Unless otherwise specifically provided, the Corporation has authority to make a grant under the national service laws for a period of 3 years.

"SEC. 187. GENERATION OF VOLUNTEERS.

"In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs. In reviewing the application for this purpose, the Corporation may take into account the mission of the applicant.

"SEC. 188. LIMITATION ON PROGRAM GRANT COSTS.

"(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation in a grant to operate a program authorized under the national service laws supporting individuals serving in approved national service positions may not exceed $17,000 per full-time equivalent position.

"(b) COSTS SUBJECT TO LIMITATION.—The limitation in subsection (a) applies to the Corporation's share of member support costs, staff costs, and other costs borne by the grantee or subgrantee to operate a program.

"(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation in subsection (a) and (e)(1) shall not apply to expenses that are not included in the program operating grant award.

"(d) ADJUSTMENTS FOR INFLATION.—The amount specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

"(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

"(1) WAIVER.—The Chief Executive Officer may waive the requirements of this section, up to a maximum of $19,500, if necessary to meet the compelling needs of a particular program, such as exceptional training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, tribal programs or programs located in the Terri-

tories and start-up costs associated with a first-time grantee, and up to a maximum of $22,000 for Tribal residential programs.

"(2) REPORTS.—The Chief Executive Officer shall report to the appropriate committees of Congress annually on all waivers granted under this section, with an explanation of the compelling needs justifying such waivers.

"SEC. 189. AUDITS AND REPORTS.

"The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 501 et seq.) and the Government Corporation Control Act of 1945 (31 U.S.C. 9101 et seq.). The Corporation shall report to the appropriate committees of Congress any failure to comply with the requirements of such audits.

"SEC. 190. CRIMINAL HISTORY CHECKS.

"(a) IN GENERAL.—Entities selecting individuals to serve in a position in which the individual receives a Corporation grant-funded living allowance, stipend, education award, salary, or other remuneration in a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

"(b) REQUIREMENTS.—A criminal history check shall, except in cases approved for good cause by the Corporation, include a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.) and—

"(1) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

"(2) a Federal Bureau of Investigation fingerprint check.

"(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

"(1) refuses to consent to the criminal history check described in subsection (b);

"(2) makes a false statement in connection with such criminal history check;

"(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

"(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.

"SEC. 190A. REPORT ON PARTICIPANT INFORMATION.

"(a) IN GENERAL.—The Corporation shall annually collect and report to the appropriate committees of Congress any demographic and socioeconomic information on the participants of all programs or projects receiving assistance under the national service laws.

"(b) INFORMATION COLLECTED AND REPORTED.—

"(1) PARTICIPANTS AGES 18 AND OLDER.— The information collected and reported under this section for participants ages 18 and older shall include age, gender, race, ethnicity, annual income, employment status, disability status, veteran status, marital status, educational attainment, and household size, type, and income.

"(2) PARTICIPANTS UNDER AGE 18.—The information collected and reported under this section for participants under age 18 shall only include age, gender, race, ethnicity, and eligibility for free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

"(c) PUBLIC AVAILABILITY.—The information collected and reported under this section shall be available to the public.

"(d) CONFIDENTIALITY.—The information collected and reported under this section shall not contain any personally identifiable information of any participant.".

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

SEC. 1701. TERMS OF OFFICE.

Section 192 (42 U.S.C. 12651a) is amended—

(1) by striking subsection (c) and inserting the following:

"(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.";

(2) by adding at the end the following:

"(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve for one year beyond expiration of the term if no successor is appointed or until the date on which a successor has taken office.".

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

Section 192A(g) (42 U.S.C. 12651b(g)) is amended—

(1) in the matter preceding paragraph (1) by striking "shall—" and inserting "shall have responsibility for setting overall policy for the Corporation and shall—";

(2) in paragraph (1), by inserting before the semicolon at the end the following: ", and review the budget proposal in advance of submission to the Office of Management and Budget and to Congress";

(3) in paragraph (5)—

(A) in subparagraph (A) by striking "and" at the end;

(B) in subparagraph (B) by inserting "and" at the end; and

(C) by adding at the end the following:

"(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;";

(4) by amending paragraph (10) to read as follows:

"(10) notwithstanding any other provision of law—

"(A) make grants to or contracts with Federal and other public departments or agencies, and private nonprofit organizations for the assignment or referral of volunteers under the provisions of Title I of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973) which may provide that the agency or organization shall pay all or a part of the costs of the program; and

"(B) enter into agreements with other Federal agencies for the support of programs under the national service laws which—

"(i) may provide that the agency or organization shall pay all or a part of the costs of the program; and

"(ii) shall provide that the program (including any program operated by another Federal agency) will comply with all requirements related to evaluation, performance, and other goals applicable to similar programs under the national service laws, as determined by the Corporation; and";

(5) in paragraph (11), by striking "September 30, 1995" and inserting "January 1, 2012".

SEC. 1703. CHIEF EXECUTIVE OFFICER COMPENSATION.

Section 193(b) (42 U.S.C. 12651c(b)) is amended by striking the period and inserting ", plus 3 percent.".

SEC. 1704. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

Section 193A (42 U.S.C. 12651d) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "shall—" and inserting ", in collaboration with State Commissions, shall—";

(B) in paragraph (1), by inserting after "a strategic plan" the following: ", including a plan for achieving 50 percent full-time approved national service positions by 2012,";

(C) in paragraph (10)—

(i) in the matter preceding subparagraph (A), by striking "June 30, 1995," and inserting "June 30 of each even-numbered year,"; and

(ii) in subparagraph (A)(i), by striking "section 122(c)(1)" and inserting "section 122(c)"; and

(D) by adding at the end the following:

"(12) bolster the public awareness of and recruitment efforts for the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

"(A) print media;

"(B) the Internet and related emerging technologies;

"(C) television;

"(D) radio;

"(E) presentations at public or private forums;

"(F) other innovative methods of communication; and

"(G) outreach to offices of economic development, State employment security agencies, labor unions and trade associations, local education agencies, institutions of higher education, agencies and organizations serving veterans and people with disabilities, and other institutions or organizations

from which participants for programs receiving assistance from the national service laws can be recruited;

"(13) identify and implement methods of recruitment to—

"(A) increase the diversity of participants in the programs receiving assistance under the national service laws;

"(B) increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

"(14) coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

"(15) collaborate with organizations with demonstrated expertise in supporting and accommodating individuals with disabilities, including institutions of higher education, to identify and implement methods of recruitment to increase the number of participants with disabilities in the programs receiving assistance under the national service laws;

"(16) identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

"(17) collaborate with organizations which have established volunteer recruitment programs, including those on the Internet, to increase the recruitment capacity of the Corporation;

"(18) where practicable, provide application materials in languages other than English for those with limited English proficiency who wish to participate in a national service program;

"(19) collaborate with the training and technical assistance programs described in subtitle J and in appropriate paragraphs of section 199N(b);

"(20) coordinate the clearinghouses described in section 198F;

"(21) coordinate with entities receiving funds under Subtitle Establishing the Reserve Corps for alumni of the national service programs to serve in emergencies, disasters, and other times of national need;

"(22) identify and implement strategies to increase awareness among Indian tribes of the types and availability of assistance under the national service laws, increase Native American participation in national service, and collect information on challenges facing Native American communities;

"(23) conduct outreach to ensure the inclusion of low-income persons in national service programs and activities authorized under the National Senior Service Corps; and

"(24) ensure that outreach, awareness, and recruitment efforts are consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).";

(2) in subsection (c)—

(A) in paragraph (9), by striking "and" at the end;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

"(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and"; and

(3) in subsection (f)—

(A) by inserting "AND STUDIES" after "EVALUATIONS" in the subsection heading; and

(B) by adding at the end the following new paragraphs:

"(3) EVALUATION ON REACHING 50 PERCENT GOAL.—The Corporation shall submit a report to the appropriate committees of Congress, not later than 18 months after the enactment of this section on actions taken to achieve the goal of 50 percent full-time approved national service positions as described in 193A(b)(1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal.

"(4) EVALUATION ON APPLICATIONS.—The Corporation shall submit a report to the appropriate committees of Congress, not later than 18 months after the enactment of this section a report on the actions taken to modify the application procedures and reporting requirements for programs and activities funded under then national service laws, including a description of the consultation procedures with grantees.

"(5) STUDY OF INVOLVEMENT OF VETERANS.—The Corporation shall submit to the appropriate committees of Congress, not later than 3 years after the enactment of this section, on—

"(A) the number of veterans serving in national service programs historically by year;

"(B) strategies being undertaken to identify the specific areas of need of veterans, including any goals set by the Corporation for veterans participating in the service programs;

"(C) the impact of the strategies described in paragraph (2) and the Veterans Corps on enabling greater participation by veterans in the national service programs carried out under the national service laws;

"(D) how existing programs and activities carried out under the national service laws could be improved to serve veterans, veterans service organizations, families of active-duty military, including gaps in services to veterans;

"(E) the extent to which existing programs and activities carried out under the national service laws are coordinated and recommendations to improve such coordination including the methods for ensuring the efficient financial organization of services directed towards veterans; and

"(F) how to improve utilization of veterans as resources and volunteers.

"(6) CONSULTATION.—In conducting the studies and preparing the reports required under this subsection, the Corporation shall consult with veterans' service organizations, the Department of Veterans Affairs, State veterans agencies, the Department of Defense, as appropriate, and other individuals and entities the Corporation considers appropriate.";

(4) by adding at the end the following:

"(h) AUTHORITY TO CONTRACT WITH A BUSINESS.—The Chief Executive Officer may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(13), with priority given to those entities who have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and members of the Baby Boom generation.

"(i) CAMPAIGN TO SOLICIT FUNDS.—The Chief Executive Officer may conduct a campaign to solicit non-Federal funds to support outreach and recruitment of a diverse population of service sponsors of and participants in programs and projects receiving assistance under the national service laws.".

SEC. 1705. DELEGATION TO STATES.

Consistent with section 193A(c)(1) (42 U.S.C. 12651d(c)(1)), the Chief Executive Officer may delegate to States specific programmatic authority upon a determination that such a delegation will increase efficiency in the operation or oversight of a program under the national service laws.

SEC. 1706. CHIEF FINANCIAL OFFICER .

Section 194(c) (42 U.S.C. 12651e(c)) is amended—

(1) by striking paragraphs (1) and (2) and inserting:

"(1) IN GENERAL.—The Corporation shall have a chief financial officer appointed subject to the provisions of title 5, United States Code, governing appointment in the competitive service and paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates."; and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 1707. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

Section 195 (42 U.S.C. 12651f) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B), by inserting after "subdivision of a State," the following: "Territory,"; and

(B) in paragraph (3)—

(i) in the heading, by striking "MEMBER" and inserting "NON-VOTING MEMBER"; and

(ii) by inserting "non-voting" before "member"; and

(2) by adding at the end the following new subsection:

"(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.".

SEC. 1708. DONATED SERVICES.

Section 196(a) (42 U.S.C. 12651g(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

"(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).";

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking "Such a volunteer" and inserting "A person who is a member of an organization or is an individual covered by subparagraph (A)";

(ii) in clause (i), by striking "a volunteer" and inserting "such a person";

(iii) in clause (ii), by striking "volunteers" and inserting "such a person"; and

(iv) in clause (iii), by striking "such a volunteer" and inserting "such a person"; and

(C) in subparagraph (C)(i), by striking "Such a volunteer" and inserting "Such a person"; and

(2) by striking paragraph (3).

SEC. 1709. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR DISPLACED WORKERS.

(a) PLANNING STUDY.—The Corporation for National and Community Service shall conduct a study to identify—

(1) specific areas of need for displaced workers;

(2) how existing programs and activities carried out under the national service laws could better serve displaced workers and communities that have been adversely affected by plant closings and job losses;

(3) prospects for better utilization of skilled workers as resources and volunteers; and

(4) methods for ensuring the efficient financial organization of services directed towards displaced workers.

(b) CONSULTATION.—The study shall be carried out in consultation with the Department of Labor, State labor agencies, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Corporation shall submit to the appropriate committees of Congress a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving displaced workers.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation shall develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.

SEC. 1710. STUDY TO EVALUATE THE EFFECTIVENESS OF A CENTRALIZED ELECTRONIC CITIZENSHIP VERIFICATION SYSTEM.

(a) STUDY.—The Corporation for National and Community Service shall conduct a study to determine the effectiveness of a centralized electronic citizenship verification system which would allow the Corporation to share employment eligibility information with the Department of Education in order to reduce administrative burden and lower costs for member programs. This study shall identify—

(1) the costs associated with establishing this program both for the Corporation and for the Department of Education;

(2) the benefits or detriments of such a system both for the Corporation and for the Department of Education;

(3) strategies for ensuring the privacy and security of member information that is shared between agencies and member organizations;

(4) the information that needs to be shared in order to fulfill employment eligibility requirements; and

(5) recommendations for implementation of such a program.

(b) CONSULTATION.—The study shall be carried out in consultation with the Department of Education and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Corporation shall submit to the appropriate committees of Congress a report on the results of the study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches identified in such study, if the Corporation determines such program to be feasible.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation may develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.

Subtitle H—Amendments to Subtitle H

SEC. 1801. TECHNICAL AMENDMENTS TO SUBTITLE H.

(a) ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.—Subtitle H is amended by inserting after the subtitle heading and before section 198 the following:

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE".

(b) TECHNICAL AMENDMENTS.—Section 198 (42 U.S.C. 12653) is amended—

(1) in subsection (a), by striking "subsection (r)" and inserting "subsection (g)";

(2) in subsection (b), by striking "to improve the quality" and all that follows through "including" the first place such term appears and inserting "to address emergent needs through summer programs and other activities, and to support service-learning programs and national service programs, including"; and

(3) by striking subsections (c), (d), (e), (f), (h), (i), (j), (l), (m) and (p) and redesignating subsections (g), (k), (n), (o), (q), (r), and (s) as subsections (c), (d), (e), (f), (g), (h) and (i), respectively.

(c) CALL TO SERVICE CAMPAIGN AND SEPTEMBER 11TH DAY OF SERVICE.—Section 198 (as amended by subsection (b) (42 U.S.C. 12653) is further amended by adding at the end the following:

"(j) CALL TO SERVICE CAMPAIGN.—Not less than 180 days after enactment of this Act, the Corporation shall conduct a nationwide 'Call To Service' campaign, to encourage all people of the United States, regardless of age, race, ethnicity, religion, or economic status, to engage in full- or part-time national service, long- or short-term public service in the nonprofit sector or government, or volunteering. In conducting the campaign, the Corporation may collaborate with other Federal agencies and entities, State Commissions, Governors, nonprofit and faith-based organizations, businesses, institutions of higher education, elementary schools, and secondary schools.

"(k) SEPTEMBER 11TH DAY OF SERVICE.—

"(1) FEDERAL ACTIVITIES.—The Corporation may organize and carry out appropriate ceremonies and activities, which may include activities that are part of the broader Call to Service Campaign, in order to observe September 11th National Day of Service and Remembrance at the Federal level.

"(2) ACTIVITIES.—The Corporation may make grants and provide other support to community-based organizations to assist in planning and carrying out appropriate service, charity, and remembrance opportunities in conjunction with the September 11th National Day of Service and Remembrance.

"(3) CONSULTATION.—The Corporation may consult with and make grants or provide other forms of support to nonprofit organizations with expertise in representing September 11th families and other impacted constituencies, in promoting the establishment of September 11th as an annually recognized National Day of Service and Remembrance.".

SEC. 1802. REPEALS.

(a) REPEALS.—The following provisions are repealed:

(1) CLEARINGHOUSES.—Section 198A (42 U.S.C. 12653a).

(2) MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.—Section 198C (42 U.S.C. 12653c).

(3) SPECIAL DEMONSTRATION PROJECT.—Section 198D (42 U.S.C. 12653d).

(b) REDESIGNATION.—Section 198B is redesignated as section 198A.

SEC. 1803. NEW FELLOWSHIPS.

Subtitle H is further amended by adding at the end the following new sections:

"SEC. 198B. SERVE AMERICA FELLOWSHIPS.

"(a) DEFINITIONS.—In this section:

"(1) AREA OF NATIONAL NEED.—The term 'area of national need' means an area involved in efforts to—

"(A) improve education in schools for economically disadvantaged students;

"(B) expand and improve access to health care;

"(C) improve energy efficiency and conserve natural resources;

"(D) improve economic opportunities for economically disadvantaged individuals; or

"(E) improve disaster preparedness and response.

"(2) ELIGIBLE FELLOWSHIP RECIPIENT.—The term 'eligible fellowship recipient' means an individual who is selected by a State Commission under subsection (c), as a result of such selection, is eligible for a ServeAmerica Fellowship.

"(3) FELLOW.—The term 'fellow' means an eligible fellowship recipient who is awarded a ServeAmerica Fellowship and is designated a fellow under subsection (e).

"(b) GRANTS.—

"(1) IN GENERAL.—From the amounts appropriated under section 501(a)(2) and allotted under paragraph (2)(A), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions), to the State Commission of each of the several States, the District of Columbia, or the Commonwealth of Puerto Rico with an application approved under this section, to enable such State Commission to award ServeAmerica Fellowships under subsection (e).

"(2) ALLOTMENT; RULES.—

"(A) ALLOTMENT.—The amount allotted to a State Commission for a fiscal year shall be equal to an amount that bears the same ratio to the amount appropriated under section 501(a)(2), as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(B) RULES.—Of the amount allotted to a State Commission under subparagraph (A)—

"(i) ⅓ of such amount shall be awarded to Fellows serving in organizations that maintain not more than 10 full-time staff and not more than 10 part-time staff; and

"(ii) not more than 1.5 percent of such amount may be used for administrative costs.

"(C) REALLOTMENT.—If a State Commission does not apply for an allotment under this subsection, or if a State Commission's application is not approved, the Corporation shall reallot the amount of the State Commission's allotment to the remaining State Commissions in accordance with subparagraph (A).

"(3) NUMBER OF POSITIONS.—The Corporation shall—

"(A) establish or increase the number of approved national service positions under this subsection during each of fiscal years 2010 through 2014;

"(B) establish the number of approved positions at 500 for fiscal year 2010; and

"(C) increase the number of the approved positions to—

"(i) 750 for fiscal year 2011;

"(ii) 1,000 for fiscal year 2012;

"(iii) 1,250 for fiscal year 2013; and

"(iv) 1,500 for fiscal year 2014.

"(4) USES OF GRANT FUNDS.—

"(A) REQUIRED USES.—A grant awarded under this subsection shall be used to enable fellows to carry out service projects in areas of national need.

"(B) PERMITTED USES.—A grant awarded under this subsection may be used for—

"(i) oversight activities and mechanisms for the service sites as determined by the State Commission or the Corporation, which may include site visits;

"(ii) activities to augment the experience of participants in approved national service positions under this section, including activities to engage such participants in networking opportunities with other national service participants; and

"(iii) recruitment or training activities for participants in approved national service positions under this section.

"(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State Commission shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including information on the criteria and procedures that the State Commission will use for overseeing ServeAmerica Fellowship placements for service projects, under subsection (e).

"(c) ELIGIBLE FELLOWSHIP RECIPIENTS.—

"(1) APPLICATION.—

"(A) IN GENERAL.—An applicant desiring to become an eligible fellowship recipient shall submit an application to a State Commission, at such time and in such manner as the Commission may require, and containing the information described in subparagraph (B) and such additional information as the Commission may require. An applicant may submit such application to only one State Commission for a fiscal year.

"(B) CONTENTS.—The Corporation shall specify information to be provided in an application submitted under this subsection, which shall include—

"(i) a description of the area of national need that the applicant intends to address in the service project;

"(ii) a description of the skills and experience the applicant has to address the area of national need;

"(iii) a description of the type of service the applicant plans to provide as a fellow; and

"(iv) information identifying the local area in which the applicant plans to serve, for the service project.

"(2) SELECTION.—Each State Commission shall select the applicants received by the State Commission for a fiscal year, the number of eligible fellowship recipients that may be supported for that fiscal year based on the grant received by the State Commission under subsection (b).

"(d) SERVICE SPONSOR ORGANIZATIONS.—

"(1) IN GENERAL.—Each service sponsor organization shall—

"(A) be a nonprofit organization or an institution of higher education that is not a Campus of Service (as described in section 119);

"(B) satisfy qualification criteria established by the Corporation or the State Commission, including standards relating to organizational capacity, financial management, and programmatic oversight;

"(C) not be a recipient of other national service awards; and

"(D) at the time of registration with a State Commission, enter into an agreement providing that the service sponsor organization shall—

"(i) abide by all program requirements;

"(ii) provide an amount described in subsection (e)(3)(b) for each fellow serving with the organization through the ServeAmerica Fellowship;

"(iii) be responsible for certifying whether each fellow serving with the organization successfully completed the ServeAmerica Fellowship, and record and certify in a manner specified by the Corporation the number of hours served by a fellow for purposes of determining the fellow's eligibility for benefits; and

"(iv) provide timely access to records relating to the ServeAmerica Fellowship to the State Commission, the Corporation, and the Corporation's Inspector General.

"(2) REGISTRATION.—

"(A) REQUIREMENT.—No service sponsor organization may receive a fellow under this subsection until the organization registers with the State Commission;

"(B) CLEARINGHOUSE.—The State Commission shall maintain a list of registered service sponsor organizations on a public website;

"(C) REVOCATION.—If a State Commission determines that a service sponsor organization is in violation of any of the applicable provisions of this section—

"(i) the State Commission shall revoke the registration of the organization;

"(ii) the organization shall not be eligible to receive a national service award under this title, for not less than 5 years; and

"(iii) the State Commission shall have the right to remove a fellow from the organization and relocate the fellow to another site.

"(e) FELLOWS.—

"(1) IN GENERAL.—To be eligible to participate in a service project as a fellow and receive a ServeAmerica Fellowship, an eligible fellowship recipient shall—

"(A) within 3 months after being selected as an eligible fellowship recipient, select a registered service sponsor organization described in subsection (d) with which the recipient is interested in serving under this section; and

"(B) enter into an agreement with the organization—

"(i) that specifies the service the recipient will provide if the placement is approved; and

"(ii) in which the recipient agrees to serve for 1 year on a full-time or part-time basis (as determined by the Corporation); and

"(iii) submit such agreement to the State Commission.

"(2) AWARD.—Upon receiving the eligible fellowship recipient's agreement under paragraph (1), the State Commission shall award a ServeAmerica Fellowship to the recipient and designate the recipient as a fellow.

"(3) FELLOWSHIP AMOUNT.—

"(A) IN GENERAL.—From amounts received under subsection (b), each State Commission shall award each of the State's fellows a ServeAmerica Fellowship amount that is equal to 50 percent of the amount of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

"(B) AMOUNT FROM SERVICE SPONSOR ORGANIZATION.— Except as provided in subsection (C), the service sponsor organization shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of such amount and the ServeAmerica Fellowship amount the fellow receives under subparagraph (A)) is equal to or greater than 70 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

"(C) MAXIMUM LIVING ALLOWANCE.—

"(i) IN GENERAL.—The total amount that may be provided to a fellow under this subparagraph shall not exceed 100 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

"(ii) SMALL ORGANIZATIONS.—A service sponsor organization meeting the requirements of subsection (b)(2)(B)(i) shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of that amount and the ServeAmerica Fellowship amount that fellows receive under clause (i) is equal to or greater than 60 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteers Service Act of 1973.

"(D) PRORATION OF AMOUNT.—In the case of a fellow who is authorized to serve a part-time term of service under the agreement described in subparagraph (1)(B)(ii), the amount provided to a fellow under this subparagraph shall be prorated accordingly.

"(E) WAIVER.—The Corporation may allow a State Commission to waive the amount required under subparagraph (B) from the service sponsor organization for a fellow serving the organization if—

"(i) such requirement is inconsistent with the objectives of the ServeAmerica Fellowship program; and

"(ii) the amount provided to the fellow under subparagraph (A) is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the ServeAmerica Fellowship program is located.

"(f) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service under a ServeAmerica Fellowship shall comply with section 132(a). For purposes of applying that section to this subsection, a reference to assistance shall be considered to be a reference to assistance provided under this section.

"(g) REPORTS.—Each service sponsor organization that receives a fellow under this subsection shall, on a biweekly basis, report to the State Commission on the number of hours served and the services provided by that fellow. The Corporation shall establish a web portal for the organizations to use in reporting the information.

"(h) EDUCATIONAL AWARDS.—A fellow who serves in a service project under this section shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 for full-time or part-time national service, shall be eligible for a national service educational award described in such section. The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational awards for such fellow.

"SEC. 198C. SILVER SCHOLARSHIPS AND ENCORE FELLOWSHIPS.

"(a) SILVER SCHOLARSHIP.—

"(1) ESTABLISHMENT.—The Corporation may award grants, including fixed-amount grants (in accordance with section 129(l)) to community-based organizations to carry out a Silver Scholarship Grant Program for individuals age 55 and older to complete not less than 500 hours of service in a year carrying out projects of national need and to receive a Silver Scholarship in the form of a $1,000 education award. Under such a program—

"(A) the Corporation shall establish criteria for the types of the service required to be performed to receive such award; and

"(B) the individual receiving the award shall use such award in accordance with sections 146(c), 146(d), and 148(c).

"(2) TERM.—Each program funded under this subsection shall be carried out over a period of 3 years, which may include 1 planning year and 2 additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

"(3) APPLICATIONS.—To be eligible to carry out a program under this subsection, a community-based organization shall submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require. A community-based organization approved by the Corporation shall be a listed organization as described in subsection (b)(2)(D).

"(4) COLLABORATION ENCOURAGED.—A community-based organization awarded a grant under this subsection is encouraged to collaborate with programs funded under title II of the Domestic Volunteer Service Act in carrying out this program.

"(5) ELIGIBILITY FOR SCHOLARSHIP.—An individual is eligible to receive a Silver Scholarship if the community-based organization certifies to the Corporation that the individual has completed not less than 500 hours of service under this section.

"(6) SUPPORT SERVICES.—A community-based organization receiving a grant under this subsection may use a portion of the fixed-amount grant to provide transportation services to an eligible individual to allow such individual to participate in a service project.

"(b) ENCORE FELLOWSHIPS.—

"(1) ESTABLISHMENT.—The Corporation may award 1-year Encore Fellowships to enable individuals age 55 or older to—

"(A) carry out service projects in areas of national need; and

"(B) to receive training and development in order to transition to full- or part-time public service in the nonprofit sector or government.

"(2) PROGRAM.—In carrying out the program, the Corporation shall—

"(A) maintain a list of eligible organizations for which Encore Fellows may be placed to carry out service projects through the program and shall provide the list to all Fellowship recipients; and

"(B) at the request of a Fellowship recipient—

"(i) determine whether the requesting recipient is able to meet the service needs of a listed organization, or another organization that the recipient requests in accordance with subparagraph (E), for a service project; and

"(ii) upon making a favorable determination under clause (i), award the recipient with an Encore Fellowship, and place the recipient with the organization as an Encore Fellow under subparagraph (E).

"(C) ELIGIBLE RECIPIENTS.—

"(i) IN GENERAL.—An individual desiring to be selected as a Fellowship recipient shall—

"(I) be an individual who—

"(aa) is at least 55 years of age as of the time the individual applies for the program; and

"(bb) is not engaged in, but who wishes to engage in, full- or part-time public service in the nonprofit sector or government; and

"(II) submit an application to the Corporation, at such time, in such manner, and containing such information as the Corporation may require, including—

"(aa) a description of the area of national need that the applicant hopes to address through the service project;

"(bb) a description of the skills and experience the applicant has to address an area of national need; and

"(cc) information identifying the region of the United States in which the applicant wishes to serve.

"(ii) SELECTION BASIS.—In determining which individuals to select as Fellowship recipients, the Corporation shall—

"(I) select not more than 10 individuals from each State; and

"(II) give priority to individuals with skills and experience for which there is an ongoing high demand in the nonprofit sector and government.

"(D) LISTED ORGANIZATIONS.—To be listed under subparagraph (A), an organization shall—

"(i) be a nonprofit organization; and

"(ii) submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including—

"(I) a description of—

"(aa) the services and activities the organization carries out generally;

"(bb) the area of national need that the organization seeks to address through a service project; and

"(cc) the services and activities the organization seeks to carry out through the proposed service project;

"(II) a description of the skills and experience that an eligible Encore Fellowship recipient needs to be placed with the organization as an Encore Fellow for the service project;

"(III) a description of the training and leadership development the organization shall provide an Encore Fellow placed with the organization to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

"(IV) evidence of the organization's financial stability.

"(E) PLACEMENT.—

"(i) REQUEST FOR PLACEMENT WITH LISTED ORGANIZATIONS.—To be placed with a listed organization in accordance with subparagraph (B)(ii) for a service project, an eligible Encore Fellowship recipient shall submit an application for such placement to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

"(ii) REQUEST FOR PLACEMENT WITH OTHER ORGANIZATION.—An eligible Encore Fellowship recipient may apply to the Corporation to serve the recipient's Encore Fellowship year with a nonprofit organization that is not a listed organization. Such application shall be submitted to the Corporation at such time, in such manner, and containing such information as the Corporation shall require, and shall include—

"(I) an identification and description of—

"(aa) the organization;

"(bb) the area of national need the organization seeks to address; and

"(cc) the services or activities the organization carries out to address such area of national need;

"(II) a description of the services the eligible Encore Fellowship recipient shall provide for the organization as an Encore Fellow; and

"(III) a letter of support from the leader of the organization, including—

"(aa) a description of the organization's need for the eligible Encore Fellowship recipient's services;

"(bb) evidence that the organization is financially sound;

"(cc) an assurance that the organization will provide training and leadership development to the eligible Encore Fellowship recipient if placed with the organization as an Encore Fellow, to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

"(dd) a description of the training and leadership development to be provided to the Encore Fellowship recipient if so placed.

"(iii) PLACEMENT AND AWARD OF FELLOWSHIP.—If the Corporation determines that the eligible Encore Fellowship recipient is able to meet the service needs (including skills and experience to address an area of national need) of the organization that the eligible fellowship recipient requests under clause (ii) or (iii), the Corporation shall—

"(I) approve the placement of the eligible Encore Fellowship recipient with the organization;

"(II) award the eligible Encore Fellowship recipient an Encore Fellowship for a period of 1 year and designate the eligible Encore Fellowship recipient as an Encore Fellow; and

"(III) in awarding the Encore Fellowship, make a payment, in the amount of $11,000, to the organization to enable the organization to provide living expenses to the Encore Fellow for the year in which the Encore Fellow agrees to serve.

"(F) MATCHING FUNDS.—An organization that receives an Encore Fellow under this subsection shall agree to provide, for the living expenses of the Encore Fellow during the year of service, non-Federal contributions in an amount equal to not less than $1 for every $1 of Federal funds provided to the organization for the Encore Fellow through the fellowship.

"(G) TRAINING AND ASSISTANCE.—Each organization that receives an Encore Fellow under this subsection shall provide training, leadership development, and assistance to the Encore Fellow, and conduct oversight of the service provided by the Encore Fellow.

"(H) LEADERSHIP DEVELOPMENT.—Each year, the Corporation shall convene current and former Encore Fellows to discuss the Encore Fellows' experiences related to service under this subsection and discuss strategies for increasing leadership and careers in public service in the nonprofit sector or government.

"(c) EVALUATIONS.—The Corporation shall conduct an independent evaluation of the programs authorized under subsections (a) and (b) and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.".

SEC. 1804. INNOVATIVE AND MODEL PROGRAM SUPPORT.

Subtitle H is further amended by adding at the end the following:

"PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

"SEC. 198D. INNOVATIVE AND MODEL PROGRAM SUPPORT.

"(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may, through grants and fixed-amount grants (in accordance with section 129(l)), carry out the following programs:

"(1) PROGRAMS FOR DISADVANTAGED YOUTH.—A program selected from among those listed in 122(a) where no less than 75 percent of the participants are disadvantaged youth.

"(A) COMPONENTS OF PROGRAMS.—Such programs may include life skills training, employment training, educational counseling, program to complete a high-school diploma or GED, counseling, or a mentoring relationship with an adult volunteer.

"(B) PRIORITY.—Priority shall be given to programs that engage retirees to serve as mentors.

"(2) PROGRAMS THAT ENGAGE YOUTH UNDER THE AGE OF 17.—Programs that engage youth under the age of 17 in service to the community to meet unmet human, educational, environmental, emergency and disaster preparedness, or public safety needs and may be a summer program or a year-round program. Priority shall be given to programs that collaborate with the RSVP Program and the AmeriCorps programs.

"(3) PROGRAMS THAT REDUCE RECIDIVISM.—Programs that re-engage court-involved youth and adults with the goal of reducing recidivism. Priority shall be given to such programs that create support systems beginning in corrections facilities, and programs that have life skills training, employment training, an education program, including a program to complete a high-school diploma or GED, educational and career counseling, post program placement, and support services, which could begin in corrections facilities. The program may include health and wellness programs, including but not limited to drug and alcohol treatment, mental health counseling, and smoking cessation.

"(4) PROGRAMS THAT RECRUIT CERTAIN INDIVIDUALS.—Demonstration projects for programs that have as one of their primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members. Such a program may serve any purpose otherwise permitted under this Act.

"(5) PROGRAMS THAT SUPPORT MENTORING.—Programs that support and strengthen direct-service youth mentoring programs by increasing State resources dedicated to mentoring and to allow mentoring partnerships to assist direct-service mentoring programs through subgrants, to promote quality standards for mentoring programs, to expand mentoring opportunities tailored to the

needs and circumstances of youth, to increase the number of at-risk youth in the State receiving mentoring from screened and trained adult mentors; and

"(6) PROGRAMS THAT BUILD STATE AND NATIONAL MENTORING INFRASTRUCTURE.—Programs to create statewide Mentoring Partnerships or implement youth mentoring projects of national scope.

"(7) OTHER INNOVATIVE AND MODEL PROGRAMS.—Any other innovative and model programs that the Corporation considers appropriate.

"(b) REQUIREMENTS.—

"(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, which may include one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

"(2) MATCHING FUNDS.—

"(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 76 percent of the total cost of the program in the first year and may not exceed 50 percent of the total cost of the program for the remaining years of the grant, including if the grant is extended for 1 year.

"(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

"(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

"(ii) may provide for such share through State sources or local sources, including private funds or donated services.

"(3) COLLABORATION ENCOURAGED.—Each program funded under this part is encouraged to collaborate with Learn and Serve, AmeriCorps, VISTA, and the National Senior Service Corps.

"(4) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.

"(c) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.".

SEC. 1805. SOCIAL INNOVATION FUND.

Subtitle H is further amended by adding after Part II (as added by section 1804) the following new part:

"PART III—SOCIAL INNOVATION FUND

"SEC. 198E. SOCIAL INNOVATION FUND.

"(a) FINDINGS.—Congress finds the following:

"(1) Social entrepreneurs and other nonprofit community organizations are developing innovative and effective solutions to national and local challenges.

"(2) Increased public and private investment in replicating and expanding proven effective solutions developed by social entrepreneurs and other nonprofit community organizations, could allow those entrepreneurs and organizations to replicate and expand proven initiatives in communities.

"(3) Increased public and private investment to seed new solutions to our nation's most serious challenges will create a pipeline of new social innovations.

"(4) A Social Innovation Fund could leverage Federal investments to increase State, local, business, and philanthropic resources to replicate and expand proven solutions, and invest in seeding new innovations, to tackle specific identified community challenges.

"(b) PURPOSES.—The purposes of this section are—

"(1) to recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in tackling national and local challenges;

"(2) to stimulate the development of a Social Innovation Fund that will increase private and public investment in nonprofit community organizations that are effectively addressing national and local challenges to allow such organizations to replicate and expand successful initiatives;

"(3) to assess the effectiveness of—

"(A) leveraging Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

"(B) providing resources to replicate and expand effective initiatives; and

"(C) seeding experimental initiatives.

"(4) to strengthen the infrastructure to identify, invest in, and replicate and expand, initiatives with effective solutions to national and local challenges.

"(c) DEFINITIONS.—In this section—

"(1) the term 'community organization' means a nonprofit organization that carries out innovative, effective initiatives to address community challenges;

"(2) the term 'covered entity' means—

"(A) an existing grantmaking institution (existing as of the date on which the institution applies for a grant under this section); or

"(B) a partnership between—

"(i) such an existing grantmaking institution; and

"(ii) an additional grantmaking institution, a State Commission, or a chief executive officer of a unit of general local government; or

"(C) an individual nonprofit organization; and

"(3) the term 'issue area' means an area described in subsection (f)(3).

"(d) PROGRAM.—The Corporation shall establish a Social Innovation Fund grant program to make grants on a competitive basis to eligible entities.

"(e) PERIODS; AMOUNTS.—

"(1) For covered entities described in subsection (c)(2)(A) and (B), the Corporation shall make such grants for periods of 5 years, and may renew the grants for additional periods of 5 years, in amounts of not less than $1,000,000 and not more than $10,000,000 per year.

"(2) For covered entities described in subsection (c)(2)(C), the Corporation shall make grants for up to 3 years, and may renew the grants for additional periods of 3 years, in amounts up to $500,000 per year.

"(f) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall—

"(1) be a covered entity;

"(2) be focused on—

"(A) serving a specific local geographical area; or

"(B) addressing a specific issue area, in geographical areas that have the highest need in that issue area, as demonstrated by statistics concerning that need.

"(3) be focused on improving measurable outcomes relating to—

"(A) education for economically disadvantaged students;

"(B) child and youth development;

"(C) reductions in poverty or increases in economic opportunity for economically disadvantaged individuals;

"(D) health, including access to health care and health education;

"(E) resource conservation and local environmental quality;

"(F) individual or community energy efficiency;

"(G) civic engagement; or

"(H) reductions in crime;

"(4) For covered entities described in subsection (c)(2)(A) and (B), have an evidence-based decision-making strategy including, but not limited to—

"(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; and

"(B) a well-articulated plan to—

"(i) replicate and expand research-proven initiatives that have been shown to produce sizeable, sustained benefits to participants or society; or

"(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of approaches.

"(5) For covered entities described in subsection (c)(2)(C), have an evidence-based decision-making strategy including, but not limited to—

"(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; or

"(B) a well-articulated plan to—

"(i) conduct rigorous evaluations to assess the effectiveness of approaches; or

"(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of approaches to addressing national or local challenges.

"(6) For covered entities described in subsection (c)(2)(A) and (B), have a well-articulated process for assessing community organizations for subgrants; and

"(7) have appropriate policies, as determined by the Corporation, that protect against conflict of interest, self-dealing, and other improper practices.

"(g) APPLICATION.—To be eligible to receive a grant under subsection (d) for national leveraging capital, an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may specify, including, at a minimum—

"(1) an assurance that the eligible entity will—

"(A) use the funds received through that capital in order to make subgrants to community organizations that will use the funds to test new initiatives, or replicate or expand proven initiatives in low-income communities;

"(B) use the funds for growth capital or to test new initiatives;

"(C) in making decisions about subgrants for communities, consult with a diverse cross section of community representatives in the decisions, including individuals from the public, nonprofit, and for-profit private sectors; and

"(D) make subgrants of a sufficient size and scope to enable the community organizations to build their capacity to test or manage initiatives, and sustain replication or expansion of the initiatives;

"(2) an assurance that the eligible entity will not make any subgrants to the parent organizations of the eligible entity, a subsidiary organization of the parent organization, or, if the eligible entity applied for funds under this section as a partnership, any member of the partnership;

"(3) an identification of, as appropriate—

"(A) the specific local geographical area referred to in subsection (f)(2)(A) that the eligible entity is proposing to serve; or

"(B) geographical areas referred to in subsection (f)(2)(B) that the eligible entity is likely to serve;

"(4)(A) information identifying the issue areas in which the eligible entity will work to improve measurable outcomes;

"(B) statistics on the needs related to those issue areas in, as appropriate—

"(i) the specific local geographical area described in paragraph (3)(A); or

"(ii) the geographical areas described in paragraph (3)(B), including statistics demonstrating that those geographical areas have the highest need in the specific issue area that the eligible entity is proposing to address; and

"(C) information on the specific measurable outcomes related to the issue areas involved that the eligible entity will seek to improve;

"(5) information describing the process by which the eligible entity selected, or will select, community organizations to receive the subgrants, to ensure that the community organizations—

"(A) are institutions with proven initiatives, with track records of achieving specific outcomes related to the measurable outcomes for the eligible entity, or are institutions that articulate a new solution with potential for substantial impact;

"(B) articulate measurable outcomes for the use of the subgrant funds that are connected to the measurable outcomes for the eligible entity;

"(C) will use the funds to test, replicate or expand their initiatives;

"(D) provide a well-defined plan for testing, replicating or expanding the initiatives funded;

"(E) can sustain the initiatives after the subgrant period concludes through reliable public revenues, earned income, or private sector funding;

"(F) have strong leadership and financial and management systems;

"(G) are committed to the use of data collection and evaluation for improvement of the initiatives;

"(H) will implement and evaluate innovative initiatives, to be important contributors to knowledge in their fields; and

"(I) will meet the requirements for providing matching funds specified in subsection (k);

"(6) information about the eligible entity, including its experience managing collaborative initiatives, or assessing applicants for grants and evaluating the performance of grant recipients for outcome-focused initiatives, and any other relevant information;

"(7) a commitment to meet the requirements of subsection (i) and a plan for meeting the requirements, including information on any funding that the eligible entity has secured to provide the matching funds required under that subsection;

"(8) a description of the eligible entity's plan for providing technical assistance and support, other than financial support, to the community organizations that will increase the ability of the community organizations to achieve their measurable outcomes;

"(9) information on the commitment, institutional capacity, and expertise of the eligible entity concerning—

"(A) collecting and analyzing data required for evaluations, compliance efforts, and other purposes;

"(B) supporting relevant research; and

"(C) submitting regular reports to the Corporation, including information on the initiatives of the community organizations, and the replication or expansion of such initiatives; and

"(10) a commitment to use data and evaluations to improve their model and be more transparent about its challenges; and

"(11) a commitment to cooperate with any evaluation activities undertaken by the Corporation.

"(h) SELECTION CRITERIA.—In selecting eligible entities to receive grants under this section, the Corporation shall—

"(1) select eligible entities on a competitive basis;

"(2) select eligible entities on the basis of the quality of their selection process, as described in subsection (g)(5), the capacity of the eligible entities to manage Social Innovation Funds, and the potential of the eligible entities to sustain the Funds after the conclusion of the grant period;

"(3) solicit broad community perspectives that inform grant-making decisions;

"(4) include among the grant recipients eligible entities that propose to provide subgrants to serve communities (such as rural low-income communities) that the eligible entities can demonstrate are significantly philanthropically underserved; and

"(5) select a geographically diverse set of eligible entities.

"(i) MATCHING FUNDS FOR GRANTS.—

"(1) IN GENERAL.—The Corporation may not make a grant to an eligible entity under this section for a Community Solutions Fund unless the entity agrees that, with respect to the cost described in subsection (d) for that Fund, the entity will make available matching funds in an amount not less than $1 for every $1 of funds provided under the grant.

"(2) NON-FEDERAL SHARE.—The eligible entity shall provide the matching funds in cash.

"(j) RESERVED PROGRAM FUNDS FOR RESEARCH AND EVALUATION.—The Corporation may reserve up to 5 percent of total program funds appropriated to carry out this section for a fiscal year to support research and evaluation related to this section.

"(k) ADVISORY PANEL.—

"(1) IN GENERAL.—Under authority of section 195 (f) of the National and Community Service Act of 1990, the Chief Executive Officer, in consultation with the Board, shall establish an Advisory Panel to provide advice and input about carrying out this section. The Advisory Panel may collectively have experience in—

"(A) social entrepreneurship and social enterprise;

"(B) the management and operation of small nonprofit organizations and large nonprofit organizations;

"(C) business, including a business with experience working with a start-up enterprises, experience growing businesses, experience with corporate social responsibility or a business with experience working with the nonprofit sector;

"(D) philanthropy, including an understanding of philanthropic challenges in urban and rural areas and in areas that are philanthropically underserved;

"(E) qualitative and quantitative social science research, including scientifically-rigorous evaluations of program effectiveness; data driven decision making and evidence-based policymaking;

"(F) volunteering, including effective volunteer management; and

"(G) government, including the management of government agencies and the role of government programs in providing services.

"(2) OTHER QUALIFICATIONS.—The Advisory Panel shall include a diverse range of individuals, including young people, and individuals from diverse economic, racial, ethnic, and religious backgrounds, and individuals from diverse geographic areas.

"(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.".

SEC. 1806. CLEARINGHOUSES.

Subtitle H is further amended by adding at the end the following:

"PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

"SEC. 198F. NATIONAL SERVICE PROGRAMS CLEARINGHOUSE.

"(a) IN GENERAL.—The Corporation shall provide assistance, either by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish one or more clearinghouses for the national service laws.

"(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

"(1) assist entities carrying out State or local service-learning and national service programs with needs assessments and planning;

"(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws unless the recipient is receiving funds for such purpose under part III of subtitle B and under subtitle H;

"(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

"(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

"(4) facilitate communication among entities carrying out service-learning programs and programs offered under the national service laws and participants in such programs;

"(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, Territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

"(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

"(7) disseminate applications in languages other than English;

"(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative curricula related to service-learning, and service-learning projects; and

"(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

"(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

"(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

"(11) disseminate effective strategies for working with disadvantaged youth in national service programs as determined by organizations with an established expertise working with such youth;

"(12) collaborate with State and local Mentoring Partnerships and directly with youth mentoring organizations to disseminate effective strategies for the recruiting, training, and screening of responsible adult mentors and best practices for building quality relationships between adult mentors and youth mentees; and

"(13) carry out such other activities as the Chief Executive Officer determines to be appropriate.".

Subtitle I—Training and Technical Assistance

SEC. 1821. TRAINING AND TECHNICAL ASSISTANCE.

Title I is further amended by adding at the end the following new subtitle:

"Subtitle J—Training and Technical Assistance

"SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

"(a) IN GENERAL.—The Corporation shall conduct, either directly or through grants, contracts, or cooperative agreements, including through State Commissions on National and Community Service, appropriate training and technical assistance to—

"(1) programs receiving assistance under the national service laws; and

"(2) entities (particularly those in rural areas and underserved communities)—

"(A) that desire to carry out or establish national service programs;

"(B) that desire to apply for assistance under the national service laws; or

"(C) that desire to apply for a subgrant under the national service laws.

"(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

"(1) providing technical assistance to those applying to carry out national service programs or those carrying out national service programs;

"(2) promoting leadership development in national service programs;

"(3) improving the instructional and programmatic quality of national service programs;

"(4) developing the management and budgetary skills of those operating or overseeing national service programs, including to increase the cost effectiveness of the programs under the national service laws;

"(5) providing for or improving the training provided to the participants in programs under the national service laws;

"(6) facilitating the education of national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

"(7) training of those operating or overseeing national service programs in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner which results in high quality service and the desire of participants or volunteers to continue to serve in other capacities after the program is completed;

"(8) training of those operating or overseeing national service programs in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the program;

"(9) training of those operating or overseeing national service programs to effectively accommodate people with disabilities to increase the participation of people with disabilities in national service programs. Such activities may utilize funding from the reservation of funds to increase the participation of individuals with disabilities as described in section 129(j);

"(10) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation and to coordinate community-wide planning and service;

"(11) providing training and technical assistance for the National Senior Service Corps, including providing such training and technical assistance to programs receiving assistance under section 201 of the Domestic Volunteer Service Act of 1973; and

"(12) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

"(c) PRIORITY.—The Corporation shall give priority to programs under the national service laws and those entities eligible to establish programs under the national service laws seeking training or technical assistance that—

"(1) seek to carry out high quality programs where the services are needed most;

"(2) seek to carry out high quality programs where national service programs do not currently exist or where the programs are too limited to meet community needs;

"(3) seek to carry out high quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

"(4) assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.".

Subtitle J—Repeal of Title III (Points of Light Foundation)

SEC. 1831. REPEAL.

Title III (42 U.S.C. 12661 et seq.) is repealed.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

SEC. 1841. AUTHORIZATION OF APPROPRIATIONS.

Section 501 (42 U.S.C. 12681) is amended to read as follows:

"SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

"(a) TITLE I.—

"(1) SUBTITLE B.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

"(i) $97,000,000 for fiscal year 2010; and

"(ii) such sums as may be necessary for each of fiscal years 2011 through 2014.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

"(i) not more than 60 percent shall be available to provide financial assistance under part I of subtitle B of title I;

"(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

"(iii) not less than 15 percent shall be available to provide financial assistance under part III of such subtitle.

"(C) SPECIAL ALLOCATIONS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to $10,000,000 shall be for summer of service grants, $20,000,000 for youth engagement zones, $7,000,000 for Campuses of Service, and up to $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 120(c)(8).

"(2) SUBTITLES C, D, AND H.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to administer the National Service Trust and disburse national service educational awards and scholarships under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer of the Corporation may determine to be necessary, such sums as may be necessary for each of fiscal years 2010 through 2014.

"(B) PRIORITY.—Notwithstanding any other provision of this Act, in obligating the amounts made available pursuant to the authorization of appropriations in subparagraph (C), priority shall be given to programs carried out in areas for which the President has declared the existence of a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), as a consequence of Hurricanes Katrina and Rita.

"(3) SUBTITLE E.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, $35,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

"(4) ADMINISTRATION.—

"(A) CORPORATION.—There are authorized to be appropriated for the Corporation's administration of the national service laws such sums as may be necessary for each of fiscal years 2010 through 2014.

"(B) STATE COMMISSIONS.—There are authorized to be appropriated for assistance to State Commissions under section 126(a), such sums as may be necessary for each of fiscal years 2010 through 2014.

"(5) TRAINING AND TECHNICAL ASSISTANCE.—Of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve up to 2.5 percent to carry out subtitle J of this Act. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which they are reserved.

"(b) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.".

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 2001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of a provision, the reference shall be considered to be made to a provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

Subtitle A—Amendments to Title I (National Volunteer Antipoverty Programs)

SEC. 2101. PURPOSE.

Section 2 (42 U.S.C. 4950) is amended—

(1) in subsection (a), by striking "both young and older citizens" and inserting "citizens of all ages and backgrounds"; and

(2) in subsection (b), by striking "local agencies" and all that follows through the period at the end and inserting "local agencies, expand relationships with, and support for, the efforts of civic, community, and educational organizations, and utilize the energy, innovative spirit, experience, and skills of all Americans.".

SEC. 2102. PURPOSE OF THE VISTA PROGRAM.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking "afflicted with" and inserting "affected by"; and

(2) in the third sentence, by striking "local level" and all that follows through the period at the end and inserting "local level, to support efforts by local agencies and organizations to achieve long-term sustainability of projects, consistent with section 185 of the National and Community Service Act of 1990, initiated or expanded under the VISTA program activities, and to strengthen local agencies and community organizations to carry out the purpose of this part.".

SEC. 2103. APPLICATIONS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "the Commonwealth of the Northern Mariana Islands," after "American Samoa,"; and

(B) in paragraph (2)—

(i) by striking "handicapped" and inserting "disabled"; and

(ii) by striking "handicaps" and inserting "disabilities";

(C) in paragraph (3), by striking "jobless, the hungry, and low-income" and inserting "unemployed, the hungry, and low-income";

(D) in paragraph (4), by striking "prevention, education," and inserting "through prevention, education, rehabilitation, and treatment,";

(E) in paragraph (5), by inserting ", mental illness," after "including";

(F) in paragraph (6), by striking "; and" and inserting a semicolon;

(G) in paragraph (7), by striking the period and inserting a semicolon; and

(H) by adding at the end the following new paragraphs:

"(8) in the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling;

"(9) in developing and carrying out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education;

"(10) in initiating and supporting before-school and after-school programs servicing children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills, or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children;

"(11) in establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and other areas where such programs are needed most;

"(12) in assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services; and

"(13) in addressing the health and wellness of low-income and underserved communities, including programs to increase access to preventive services, insurance, and health care.";

(2) in subsection (b)—

(A) in paragraph (1), by striking "recruitment and placement procedures" and inserting "placement procedures that involve sponsoring organizations and";

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "related to the recruitment and" and inserting "related to the";

(II) by striking "in conjunction with recruitment and" and inserting "in conjunction with the"; and

(III) by striking "1993. Upon" and all that follows through the period at the end and inserting "1993.";

(ii) in subparagraph (B), by striking "central information system that shall, on request, promptly provide" and inserting "database that provides"; and

(iii) in subparagraph (C)—

(I) by striking "timely and effective" and inserting "timely and cost-effective"; and

(II) by striking "the recruitment of volunteers" and inserting "recruitment and management of volunteers"; and

(C) in paragraph (3), by adding at the end the following: "The Director shall give priority to—

"(A) disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) and low-income adults; and

"(B) retired adults of any profession, but with an emphasis on those professions whose services and training are most needed in a community, such as the health care professions, teaching, counseling, and engineering and other professions requiring a high level of technical and project management skills, to utilize their experience, including professional skills, in the VISTA program.";

(D) in paragraph (5)(B), by striking "information system" and inserting "database";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "personnel described in subsection (b)(2)(C)" and inserting "personnel described in subsection (b)(2)(C) and sponsoring organizations";

(ii) in subparagraph (A), by inserting "the Internet and related technologies," after "television,";

(iii) in subparagraph (B), by inserting "Internet and related technologies," after "through the";

(iv) in subparagraph (C), by inserting after "senior citizens organizations," the following: "offices of economic development, State employment security agencies, employment offices,";

(v) in subparagraph (F), by striking "National and Community Service Trust Act of 1993" and inserting "National and Community Service Act of 1990"; and

(vi) in subparagraph (G), by striking ", on request,";

(B) in paragraph (3), by striking "this subsection" and inserting "this subsection and related public awareness and recruitment activities under the national service laws"; and

(C) in paragraph (4)—

(i) by striking "Beginning" and all that follows through "for the purpose" and inserting "For the purpose"; and

(ii) by striking "1.5 percent" and inserting "2 percent";

(4) by amending the second sentence of subsection (d) to read as follows: "Whenever feasible, such efforts shall be coordinated with an appropriate local workforce investment board established under section 117 of the Workforce Investment Act of 1998.";

(5) in subsection (g) by striking "and has been submitted to the Governor" and all that follows and inserting a period; and

(6) by adding at the end the following:

"(i) The Director may enter into agreements under which public and private non-profit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this title, consistent with the provisions of section 186 of the National and Community Service Act of 1990.".

SEC. 2104. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

Part A of title I is amended by inserting after section 103 (42 U.S.C. 4953) the following:

"SEC. 103A. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

"(a) IN GENERAL.—With not less than one-third of the funds made available under subsection (d) in each fiscal year, the Director shall make grants for VISTA positions to support programs of national significance. Each program for which a grant is received under this subsection shall be carried out in accordance with the requirements applicable to that program.

"(b) ACTIVITIES SUPPORTED.—The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern low-income and rural communities in the Nation:

"(1) In the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling.

"(2) In developing and carrying-out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education.

"(3) In initiating and supporting before-school and after-school programs in low-income communities that may include such activities as establishing mentoring relationships, physical education, tutoring, instruction in 21st century thinking skills, life skills, and study skills, community service, service-learning, nutrition and health education, and other activities aimed at keeping children, safe, educated, and healthy, which serve the children in such community.

"(4) In establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and areas where such programs are needed most.

"(5) In assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services.

"(6) In addressing the health and wellness of low-income and underserved communities across our Nation, including programs to fight childhood obesity through nutrition, physical fitness, and other associated life skills education programs and programs to increase access to preventive services, insurance, and health care.

"(c) REQUIREMENTS.—

"(1) ELIGIBILITY.—In order to receive a grant under subsection (a), an applicant shall submit an application to the Director at such time and in such manner as the Director requires and receive approval of the application. Such application shall, at a minimum, demonstrate to the Director a level of expertise in carrying out such a program.

"(2) SUPPLEMENT NOT SUPPLANT.—Funds made available under subsection (d) shall be used to supplement and not supplant the number of VISTA volunteers engaged in programs addressing the problem for which such funds are awarded unless such sums are an extension of funds previously provided under this title.

"(d) FUNDING.—

"(1) IN GENERAL.—From the amounts appropriate under section 501 for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).

"(2) LIMITATION.—No funds shall be made available to the Director to make grants under subsection (a) unless the amounts appropriated under section 501 available for such fiscal year to carry out part A are sufficient to maintain the number of projects and volunteers funded under part A in the preceding fiscal year.

"(e) INFORMATION.—The Director shall widely disseminate information on grants that may be made under this section, including through volunteer recruitment programs being carried out by public or private non-profit organizations.".

SEC. 2105. TERMS AND PERIODS OF SERVICE.

Section 104(d) (42 U.S.C. 4954(d)) is amended—

(1) in the first sentence, by striking "with the terms and conditions of their service." and inserting "with the terms and conditions of their service or any adverse action, such as termination, proposed by the sponsoring organization. The procedure shall provide for an appeal to the Director of any proposed termination."; and

(2) in the third sentence (as amended by this section), by striking "and the terms and conditions of their service".

SEC. 2106. SUPPORT SERVICE.

Section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B)) is amended by striking "Such stipend" and all that follows through "in the case of persons" and inserting "Such stipend shall be set at a minimum of $125 per month and a maximum of $150 per month, subject to the availability of funds to accomplish such a maximum. The Director may provide a stipend of $250 per month in the case of persons".

SEC. 2107. SECTIONS REPEALED.

The following provisions are repealed:

(1) VISTA LITERACY CORPS.—Section 109 (42 U.S.C. 4959).

(2) UNIVERSITY YEAR FOR VISTA.—Part B of title I (42 U.S.C. 4971 et seq.).

(3) LITERACY CHALLENGE GRANTS.—Section 124 (42 U.S.C. 4995).

SEC. 2108. CONFORMING AMENDMENT.

Section 121 (42 U.S.C. 4991) is amended in the second sentence by striking "situations" and inserting "organizations".

SEC. 2109. FINANCIAL ASSISTANCE.

Section 123 (42 U.S.C. 4993) is amended—

(1) in the section heading by striking "technical and"; and

(2) by striking "technical and".

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

SEC. 2201. CHANGE IN NAME.

Title II (42 U.S.C. 5000 et seq.) is amended in the title heading by striking "**NATIONAL SENIOR VOLUNTEER CORPS**" and inserting "**NATIONAL SENIOR SERVICE CORPS**".

SEC. 2202. PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

"SEC. 200. STATEMENT OF PURPOSE.

"It is the purpose of this title to provide—

"(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

"(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

"(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

"(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need;

"(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide critical support services and companionship to adults at risk of institutionalization and who are struggling to maintain a dignified independent life; and

"(6) for research, training, demonstration, and other program activities to increase and improve opportunities for people 55 years of age or older to meet unmet needs, including those related to public safety, public health, and emergency and disaster preparedness, relief, and recovery, in their communities.".

SEC. 2203. GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS.

Section 201 (42 U.S.C. 5001) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "avail themselves of opportunities for volunteer service in their community" and inserting "share their experiences, abilities, and skills for the betterment of their communities and themselves through service";

(B) in paragraph (2), by striking ", and individuals 60 years of age or older will be given priority for enrollment,";

(C) in paragraph (3), by inserting "either prior to or during the volunteer service" after "may be necessary"; and

(D) by striking paragraph (4) and inserting the following:

"(4) the project is being designed and implemented with the advice of experts in the field of service to be delivered as well as with those who have expertise in the recruitment and management of volunteers, particularly those of the Baby Boom generation.";

(2) by amending subsection (c) to read as follows:

"(c) The Director shall give priority to projects—

"(1) utilizing retired scientists, technicians, engineers, and mathematicians (the STEM professionals) to improve Science, Technology, Engineering, and Mathematics (STEM) education through activities such as assisting teachers in classroom demonstrations or laboratory experiences, running after-school, weekend, or summer programs designed to engage disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or low-income, minority youth in the STEM fields and to improve mastery of the STEM content, providing field trips to businesses, institutions of higher education, museums, and other locations where the STEM professions are practiced or illuminated;

"(2) utilizing retired health care professionals to improve the health and wellness of low income or rural communities;

"(3) utilizing retired criminal justice professionals for programs designed to prevent disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) from joining gangs or committing crimes;

"(4) utilizing retired military and emergency professionals for programs to improve public safety, emergency and disaster preparedness, relief, and recovery, search and rescue, and homeland security efforts; and

"(5) utilizing retired computer science professionals, technicians of related technologies, business professionals, and others with relevant knowledge to increase, for low income individuals and families, access to and obtaining the benefits from computers and other existing and emerging technologies."; and

(3) by adding at the end the following:

"(e) COMPETITIVE GRANT AWARDS REQUIRED.—

"(1) IN GENERAL.—Effective for fiscal year 2013 and each fiscal year thereafter, each grant or contract awarded under this section in such a year shall be—

"(A) awarded for a period of 3 years; and

"(B) awarded through a competitive process.

"(2) ELEMENTS OF COMPETITIVE PROCESS.—The competitive process required by paragraph (1)(B)—

"(A) shall include the use of a peer review panel, including members with expertise in senior service and aging;

"(B) shall ensure that—

"(i) the resulting grants (or contracts) support no less than the volunteer service years of the previous grant (or contract) cycle in a given geographic service area;

"(ii) the resulting grants (or contracts) maintain a similar program distribution; and

"(iii) every effort is made to minimize the disruption to volunteers; and

"(C) shall include the performance measures, outcomes, and other criteria established under subsection (f).

"(3) ESTABLISHMENT OF COMPETITIVE PROCESS.—The Corporation shall establish and make available the competitive process required by paragraph (1)(B) no later than 18 months after the date of the enactment of this subsection. The Corporation shall consult with the program directors of the Retired Senior Volunteer Program during development and implementation of the competitive process.

"(f) EVALUATION PROCESS REQUIRED.—

"(1) IN GENERAL.—Notwithstanding section 412, and effective beginning 180 days after the date of the enactment of this subsection, each grant or contract under this section that expires in fiscal year 2011, 2012, and 2013 shall be subject to an evaluation process. The evaluation process shall be carried out, to the maximum extent practicable, in fiscal year 2010, 2011, and 2012, respectively.

"(2) ELEMENTS OF EVALUATION PROCESS.—The evaluation process required by paragraph (1)—

"(A) shall include performance measures, outcomes, and other criteria; and

"(B) shall evaluate the extent to which the recipient of the grant or contract meets or exceeds such performance measures, outcomes, and other criteria.

"(3) ESTABLISHMENT OF EVALUATION PROCESS.—The Corporation shall, in collaboration and consultation with program directors of the Retired Senior Volunteer Program, establish and make available the evaluation process required by paragraph (1), including the performance measures, outcomes, and other criteria required by paragraph (2)(A), with particular attention to the different needs of rural and urban programs. The processes shall be established and made available, including notification of the available training and technical assistance, no later than 180 days after the date of the enactment of this subsection.

"(4) EFFECT OF FAILING TO MEET PERFORMANCE MEASURES.—If the evaluation process determines that the recipient has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection, the grant or contract shall not be renewed. Any successor grant or contract shall be awarded through the competitive process described in subsection (e)(1).

"(5) SPECIAL RULE.—The Corporation may continue to fund a program which has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection for up to 12 months if competition does not result in a successor grant or contract for such program, in order to minimize the disruption to volunteers and disruption of services. In such a case, outreach shall be conducted and a new competition shall be established. The previous recipient shall remain eligible for the new competition.

"(6) PERFORMANCE MEASURES.—

"(A) IN GENERAL.—The performance measures, outcomes, and other criteria established under this subsection may be updated or modified as necessary, in consultation with program directors for the Retired Senior Volunteer Program, but no earlier than fiscal year 2014.

"(B) OPERATIONAL PROBLEMS.—Effective for fiscal years before fiscal year 2014, the Corporation may, after consulting with program directors of the Retired Senior Volunteer Program, determine that a performance measure, outcome, or criterion established under this subsection is operationally problematic, and may, in consultation with program directors of the Retired Senior Volunteer Program and after notifying the appropriate committees of Congress—

"(i) eliminate the use of that performance measure, outcome, or criterion; or

"(ii) modify that performance measure, outcome, or criterion as necessary to render it no longer operationally problematic.

"(g) ONLINE RESOURCE GUIDE.—The Corporation shall develop and disseminate an online resource guide for the Retired Senior Volunteer Program within 180 days after the date of the enactment of this subsection, which shall include, but not be limited to—

"(1) examples of high performing programs;

"(2) corrective actions for underperforming programs; and

"(3) examples of meaningful outcome-based performance measures that capture a program's mission and priorities.

"(h) REPORT TO CONGRESS.—Not later than September 30, 2013, the Corporation shall submit to the appropriate committees of Congress a report on—

"(1) the number of programs that did not meet or exceed the established performance measures, outcomes, and other criteria established under subsection (f);

"(2) the number of new grants awarded;

"(3) the challenges to the implementation of evaluation and competition, including but not limited to geographic distribution and the minimization of disruption to volunteers; and

"(4) how the current program geographic distribution affects recruitment for the Retired Senior Volunteer Program.".

SEC. 2204. FOSTER GRANDPARENT PROGRAM GRANTS.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a)—

(A) by striking "low-income persons aged sixty or over" and inserting "low-income and other persons aged 55 or over"; and

(B) by striking "children having exceptional needs" and inserting "children having special or exceptional needs or with conditions or circumstances identified as limiting their academic, social, or emotional development";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection—" and inserting "may determine—";

(ii) in subparagraph (A), by striking "and";

(iii) in subparagraph (B), by striking the period and inserting "; and"; and

(iv) by adding after subparagraph (B) the following:

"(C) whether it is in the best interests of a child receiving, and of a particular foster grandparent providing, services in such a project, to continue such relationship after the child reaches the age of 21, if such child was receiving such services prior to attaining the age of 21.";

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(D) in paragraph (2) (as redesignated by this section), by striking "paragraphs (1) and (2)" and inserting "paragraph (1)";

(E) by adding after paragraph (2) (as redesignated by this section) the following:

"(3) If an assignment of a foster grandparent is suspended or discontinued, the replacement of that foster grandparent shall be determined through the mutual agreement of all parties involved in the provision of services to the child.";

(3) in subsection (d), in the second sentence, by striking "Any stipend" and all that follows through "inflation," and inserting "Any stipend or allowance provided under this part shall not exceed 75 percent of the minimum wage under section 6 the Fair Labor Standards Act of 1938 (29 U.S.C. 206), and the Federal share shall not be less than $2.65 per hour, provided that the Director shall adjust the Federal share once prior to December 31, 2012, to account for inflation,";

(4) in subsection (e)—

(A) in paragraph (1), by striking "125" and inserting "200"; and

(B) in paragraph (2), by striking ", as so adjusted" and all that follows through "local situations";

(5) by striking subsection (f) and inserting:

"(f)(1) Subject to the restrictions in paragraph (3), individuals who are not low-income persons may serve as volunteers under this part. The regulations issued by the Director to carry out this part (other than regulations relating to stipends or allowances to individuals authorized by subsection (d)) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

"(2) Except as provided under paragraph (1), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

"(3) An individual who is not a low-income person may not become a volunteer under this part if allowing that individual to become a volunteer under this part would prevent a low-income person from becoming a volunteer under this part or would displace a low-income person from being a volunteer under this part."; and

(6) by adding at the end the following new subsections:

"(g) The Director may also provide a stipend or allowance in an amount not to exceed 10 percent more than the amount established under subsection (d) to leaders who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers under this part.

"(h) The program may accept up to 15 percent of volunteers serving in a project under this part for a fiscal year who do not meet the definition of 'low-income' under subsection (e), upon certification by the recipient of a grant or contract that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project.".

SEC. 2205. SENIOR COMPANION PROGRAM GRANTS.

Section 213 (42 U.S.C. 5013) is amended—

(1) in subsection (a), by striking "low-income persons aged 60 or over" and inserting "low-income and other persons aged 55 or over";

(2) in subsection (b), by striking "Subsections (d), (e), and (f)" and inserting "Subsections (d) through (h)"; and

(3) by striking subsection (c)(2)(B) and inserting the following:

"(B) Senior companion volunteer trainers and leaders may receive a stipend or allowance consistent with subsection (g) authorized under subsection (d) of section 211, as approved by the Director.".

SEC. 2206. PROMOTION OF NATIONAL SENIOR SERVICE CORPS.

Section 221 (42 U.S.C. 5021) is amended—

(1) in the section heading, by striking "VOLUNTEER" and inserting "SERVICE"; and

(2) in subsection (b)(2), by inserting "of all ages and backgrounds living in rural, suburban, and urban localities" after "greater participation of volunteers".

SEC. 2207. TECHNICAL AMENDMENTS.

(a) CHANGE IN AGE ELIGIBILITY.—Section 223 (42 U.S.C. 5023) is amended by striking "sixty years and older from minority groups" and inserting "55 years and older from minority and underserved populations".

(b) NAME CHANGE.—Section 224 (42 U.S.C. 5024) is amended in the heading by striking "VOLUNTEER" and inserting "SERVICE".

SEC. 2208. PROGRAMS OF NATIONAL SIGNIFICANCE.

Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) by amending paragraph (2) to read as follows:

"(2) Applicants for grants under paragraph (1) shall determine which program under part A, B, or C the program shall be carried out and submit an application as required for programs under part A, B, or C."; and

(B) by adding at the end the following:

"(4) To the maximum extent practicable, the Director shall ensure that at least 25 percent of the grants under this subsection are made to applicants not receiving assistance from the Corporation at the time of such grant and, when possible, from locations where no programs under part A, B, or C are in effect at the time of such grant. In a fiscal year where less than 25 percent of the applicants are applicants not receiving such assistance, the Director may make more than 75 percent of such grants to applicants receiving such assistance.";

(2) in subsection (b)—

(A) in paragraph (1), by inserting before the period at the end the following: "or Alzheimer's disease, with an intent of allowing those served to age in place";

(B) in paragraph (2), by inserting before the period at the end the following: "through education, prevention, treatment, and rehabilitation";

(C) in paragraph (3), by inserting before the period at the end the following: ", including programs that teach parenting skills, life skills, and family management skills";

(D) by amending paragraph (4) to read as follows:

"(4) Programs that establish and support mentoring programs for disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990), including those mentoring programs that match youth with volunteer mentors leading to apprenticeship programs and employment training.";

(E) in paragraph (5), by inserting before the period at the end the following: ", including those programs that serve youth and adults with limited English proficiency";

(F) in paragraph (6), by striking "and" and all that follows through the period and insert "and for individuals and children with disabilities or chronic illnesses living at home.";

(G) in paragraph (7), by striking "after-school activities" and all that follows through the period at the end and inserting "after-school programs serving children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children, including those of working parents.";

(H) by striking paragraphs (8), (9), (12), (13), (14), (15), (16), and (18);

(I) by redesignating paragraphs (10) and (11) as paragraphs (8) and (9), respectively;

(J) by inserting after paragraph (9) (as so redesignated) the following:

"(10) Programs that engage older adults with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community, including conducting energy audits, insulating homes, or conducting other activities to promote energy efficiency.

"(11) Programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or youth reentering society after incarceration and their families, which may include mentoring and counseling, which many include employment counseling.";

(K) by redesignating paragraph (17) as paragraph (12); and

(L) by adding at the end the following:

"(13) Programs that strengthen community efforts in support of homeland security.";

(3) in subsection (c)(1), by striking "shall demonstrate to the Director" and all that follows through the period at the end and inserting "shall demonstrate to the Director a level of expertise in carrying out such a program."; and

(4) in subsection (e)—

(A) by inserting "widely" before "disseminate"; and

(B) by striking "to field personnel" and all that follows through the period at the end and inserting ", including through volunteer recruitment programs being carried out by public or private non-profit organizations.".

SEC. 2209. ADDITIONAL PROVISIONS.

Part D of title II (42 U.S.C. 5000 et seq.) is amended by adding after section 227 the following:

"SEC. 228. CONTINUITY OF SERVICE.

"To ensure the continued service of individuals in communities served by the Retired and Senior Volunteer Program prior to enactment of this section, in making grants under this title the Corporation shall take actions it considers necessary to maintain service assignments for such seniors and to ensure continuity of service for communities.

"SEC. 229. ACCEPTANCE OF DONATIONS.

"(a) IN GENERAL.—Except as provided in subsection (b), a program receiving assistance under this title may accept donations, including donations in cash or in kind.

"(b) EXCEPTION.—Notwithstanding subsection (a), a program receiving assistance under this title shall not accept donations from the beneficiaries of the program.".

SEC. 2210. AUTHORITY OF DIRECTOR.

Section 231 (42 U.S.C. 5028) is amended—

(1) by amending subsection (a) to read as follows:

"(a) IN GENERAL.—

"(1) ACTIVITIES AUTHORIZED.—The Director is authorized to—

"(A) make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers; and

"(B) make incentive grants under subsection (d).

"(2) SUPPORT OF VOLUNTEERS.—The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "subsection (a)" and inserting "subsection (a)(1)(A)";

(B) in paragraph (1), by striking "activities;" and inserting "activities described in section 225(b) and carried out through programs described in parts A, B, and C;"; and

(C) by striking paragraphs (2) and (3) and inserting the following:

"(2) programs that support older Americans in aging in place while augmenting the capacity of members of a community to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs where services are exchanged and not paid for; or

"(3) grants to non-profit organizations to establish sites or programs to—

"(A) assist retiring or retired individuals in locating opportunities for—

"(i) public service roles, including through paid or volunteer service;

"(ii) participating in life-planning programs, including financial planning and issues revolving around health and wellness; and

"(iii) continuing education, including leadership development, health and wellness, and technological literacy; and

"(B) connect retiring or retired individuals with members of the community to serve as leaders and mentors in life planning, relationships, employment counseling, education counseling, and other areas of expertise as developed by the retiring or retired adults."; and

(3) by adding at the end the following:

"(c) PRIORITY.—For purposes of subsection (b)(2), priority shall be given to—

"(1) programs with established experience in carrying out such a program and engaging the entire community in service exchange;

"(2) programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans and for members of the community to serve each other;

"(3) programs seeking to establish in an area where needs of older Americans are left unmet and older Americans are unable to consider aging in place without such service exchange in place; and

"(4) programs that integrate participants in or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired and Senior Volunteer Program, Foster Grandparents program, and the Senior Companion programs, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).

"(d) INCENTIVE GRANTS.—The incentive grants referred to in subsection (a)(1)(B) are incentive grants to programs receiving assistance under this title, subject to the following:

"(1) Such grants (which may be fixed-amount grants) shall be grants in an amount equal to $300 per volunteer enrolled in the program, except that such amount shall be reduced as necessary to meet the goals of this section.

"(2) Such a grant shall be awarded to a program only if the program—

"(A) exceeds performance measures established under section 179 of the National and Community Service Act of 1990;

"(B) provides non-Federal matching funds in an amount that is not less than 50 percent of the amount received by the program under this title;

"(C) enrolls more than 50 percent of the volunteers in outcome-based service programs with measurable objectives meeting community needs, as determined by the Corporation; and

"(D) enrolls more volunteers from among members of the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, than were enrolled in the program during the previous fiscal year.

"(3) For each such grant, the Corporation shall require the recipient to provide matching funds of 70 cents from non-Federal sources for every $1 provided under the grant.

"(4) Such a grant shall be awarded to a program only if the program submits, at such time and in such manner as the Corporation may reasonably require, an application that contains—

"(A) a demonstration that the program has met the requirements of paragraph (2);

"(B) if applicable, a plan for innovative programs as described in paragraph (6)(B)(ii);

"(C) a sustainability plan that describes how the program will maintain the activities described in paragraph (6) when the grant terminates; and

"(D) other information that the Corporation may require.

"(5) Such grants shall be awarded for a period of 3 years, except that the grant shall be reviewed by the Corporation at the end of the first and second fiscal years and revoked if the Corporation finds that the program has failed to continue to meet the requirements of paragraph (2) for those fiscal years.

"(6) Such grants—

"(A) shall be used to increase the number of volunteers in outcome-based service with measurable objectives meeting community needs as determined by the Corporation; and

"(B) may be used—

"(i) for activities for which the program is authorized to receive assistance under this title; and

"(ii) for innovative programs focused on the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, that have been accepted by the Corporation through the application process in paragraph (4) and are outcome-based programs with

measurable objectives meeting community needs as determined by the Corporation.

"(7) The Director shall, in making such grants, give high priority to programs receiving assistance under section 201.".

Subtitle C—Amendments to Title IV (Administration and Coordination)

SEC. 2301. NONDISPLACEMENT.

Section 404(a) (42 U.S.C. 5044(a)) is amended by striking "displacement of employed workers" and inserting "displacement of employed workers or volunteers (other than participants under the national service laws)".

SEC. 2302. NOTICE AND HEARING PROCEDURES.

Section 412(a) (42 U.S.C. 5052(a)) is amended—

(1) in paragraph (2)—

(A) by striking "75" and inserting "60"; and

(B) by adding "and" at the end;

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (3).

SEC. 2303. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (2), by inserting ", the Commonwealth of the Northern Mariana Islands" after "American Samoa";

(2) in paragraph (13), by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps"; and

(3) in paragraph (14)—

(A) by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps"; and

(B) by striking "parts A, B, C, and E of";

SEC. 2304. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps".

Subtitle D—Amendments to Title V (Authorization of Appropriations)

SEC. 2401. AUTHORIZATION OF APPROPRIATIONS FOR VISTA AND OTHER PURPOSES.

Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ", excluding section 109" and all that follows and inserting "$100,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.";

(B) by striking paragraphs (2) and (4) and redesignating paragraphs (3) and (5) as paragraphs (2) and (3); and

(C) in paragraph (2) (as redesignated by this section), by striking ", excluding section 125" and all that follows and inserting "such sums as may be necessary for each of fiscal years 2010 through 2014."; and

(2) by striking subsection (e).

SEC. 2402. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SENIOR SERVICE CORPS.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

"SEC. 502. NATIONAL SENIOR SERVICE CORPS.

"(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $70,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

"(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

"(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $55,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

"(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II such sums as may be necessary for each of fiscal years 2011 through 2014.".

TITLE III—AMENDMENTS TO OTHER LAWS

SEC. 3101. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking "National and Community Service Trust Act of 1993" and inserting "National and Community Service Act of 1990".

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 4101. TABLE OF CONTENTS FOR THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 (42 U.S.C. 12501 note) is amended to read as follows:

"(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

"Sec. 1. Short title and table of contents.
"Sec. 2. Findings and purpose.
"Sec. 3. Sense of Congress.

"TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

"Subtitle A—General Provisions

"Sec. 101. Definitions.
"Sec. 102. Authority to make State grants.

"Subtitle B—School-Based and Community-Based Service-Learning Programs

"PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

"Sec. 111. Assistance to States, Territories, and Indian tribes.
"Sec. 112. Allotments.
"Sec. 113. Applications.
"Sec. 114. Consideration of applications.
"Sec. 115. Participation of students and teachers from private schools.
"Sec. 116. Federal, State, and local contributions.
"Sec. 117. Limitation on uses of funds.

"PART II—HIGHER EDUCATION PROVISIONS AND CAMPUSES OF SERVICE

"Sec. 118. Higher education innovative programs for community service.
"Sec. 119. Campuses of Service.

"PART III—INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH

"Sec. 120. Innovative demonstration service-learning programs and research.

"Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

"Sec. 121. Authority to provide assistance and approved national service positions.
"Sec. 122. National service programs eligible for program assistance.
"Sec. 123. Types of national service positions eligible for approval for national service educational awards.
"Sec. 124. Types of program assistance.
"Sec. 125. [Repealed]
"Sec. 126. Other special assistance.

"PART II—APPLICATION AND APPROVAL PROCESS

"Sec. 129. Provision of assistance and approved national service positions.
"Sec. 129A. Education awards only program.
"Sec. 130. Application for assistance and approved national service positions.
"Sec. 131. National service program assistance requirements.
"Sec. 132. Ineligible service categories.
"Sec. 133. Consideration of applications.

"PART III—NATIONAL SERVICE PARTICIPANTS

"Sec. 137. Description of participants.
"Sec. 138. Selection of national service participants.
"Sec. 139. Terms of service.
"Sec. 140. Living allowances for national service participants.
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"Subtitle D—National Service Trust and Provision of National Service Educational Awards

"Sec. 145. Establishment of the National Service Trust.
"Sec. 146. Individuals eligible to receive a national service educational award from the Trust.
"Sec. 147. Determination of the amount of the national service educational award.

"Sec. 148. Disbursement of national service educational awards.
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"Subtitle E—National Civilian Community Corps

"Sec. 151. Purpose.
"Sec. 152. Establishment of National Civilian Community Corps program.
"Sec. 153. National service program.
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"Sec. 155. National Civilian Community Corps.
"Sec. 156. Training.
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"Sec. 158. Authorized benefits for Corps members.
"Sec. 159. Administrative provisions.
"Sec. 160. Status of Corps members and Corps personnel under Federal law.
"Sec. 161. Contract and grant authority.
"Sec. 162. Responsibilities of other departments.
"Sec. 163. Advisory board.
"Sec. 164. Evaluation.
"Sec. 165. [Repealed]
"Sec. 166. Definitions.

"Subtitle F—Administrative Provisions

"Sec. 171. Family and medical leave.
"Sec. 172. Reports.
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"Sec. 174. Prohibition on use of funds.
"Sec. 175. Nondiscrimination.
"Sec. 176. Notice, hearing, and grievance procedures.
"Sec. 177. Nonduplication and nondisplacement.
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"Sec. 179. Evaluation.
"Sec. 180. Engagement of participants.
"Sec. 181. Contingent extension.
"Sec. 182. Partnerships with schools.
"Sec. 183. Rights of access, examination, and copying.
"Sec. 184. Drug-free workplace requirements.
"Sec. 185. Sustainability.
"Sec. 186. Grant periods.
"Sec. 187. Generation of volunteers.
"Sec. 188. Limitation on program grant costs.
"Sec. 189. Audits and reports.
"Sec. 190. Criminal history checks.
"Sec. 190A. Report on participant information.

"Subtitle G—Corporation for National and Community Service

"Sec. 191. Corporation for National and Community Service.
"Sec. 192. Board of Directors.
"Sec. 192A. Authorities and duties of the Board of Directors.
"Sec. 193. Chief Executive Officer.
"Sec. 193A. Authorities and duties of the Chief Executive Officer.
"Sec. 194. Officers.
"Sec. 195. Employees, consultants, and other personnel.
"Sec. 196. Administration.
"Sec. 196A. Corporation State offices.

"Subtitle H—Investment for Quality and Innovation

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE

"Sec. 198. Additional corporation activities to support national service.
"Sec. 198A. Presidential awards for service.
"Sec. 198B. ServeAmerica Fellowships.
"Sec. 198C. Silver Scholarships and Encore fellowships.

"PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

"Sec. 198D. Innovative and model program support.

"PART III—SOCIAL INNOVATION FUND

"Sec. 198E. Social innovation fund.

"PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

"Sec. 198F. National service programs clearinghouse.

"Subtitle I—American Conservation and Youth Corps

"Sec. 199. Short title.
"Sec. 199A. General authority.
"Sec. 199B. Limitation on purchase of capital equipment.
"Sec. 199C. State application.
"Sec. 199D. Focus of programs.
"Sec. 199E. Related programs.
"Sec. 199F. Public lands or Indian lands.
"Sec. 199G. Training and education services.
"Sec. 199H. Preference for certain projects.
"Sec. 199I. Age and citizenship criteria for enrollment.
"Sec. 199J. Use of volunteers.
"Sec. 199K. Living allowance.
"Sec. 199L. Joint programs.
"Sec. 199M. Federal and State employee status.

"Subtitle J—Training and Technical Assistance

"Sec. 199N. Training and technical assistance.

"TITLE II—MODIFICATIONS OF EXISTING PROGRAMS

"Subtitle A—Publication

"Sec. 201. Information for students.
"Sec. 202. Exit counseling for borrowers.
"Sec. 203. Department information on deferments and cancellations.
"Sec. 204. Data on deferments and cancellations.

"Subtitle B—Youthbuild Projects

"Sec. 211. Youthbuild projects.

"Subtitle C—Amendments to Student Literacy Corps

"Sec. 221. Amendments to Student Literacy Corps.

"TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

"Sec. 401. Projects.

"TITLE V—AUTHORIZATION OF APPROPRIATIONS

"Sec. 501. Authorization of appropriations.

"TITLE VI—MISCELLANEOUS PROVISIONS

"Sec. 601. Amtrak waste disposal.
"Sec. 602. Exchange program with countries in transition from totalitarianism to Democracy.".

SEC. 4102. TABLE OF CONTENTS AMENDMENTS FOR THE DOMESTIC VOLUNTEER SERVICE ACT.

The table of contents in section 1(b) of the Domestic Volunteer Service Act of 1973 is amended as follows:

(1) By inserting after the item relating to section 103 the following new item:

"Sec. 103A. VISTA programs of national significance.".

(2) By striking the item relating to section 123 and inserting the following new item:

"Sec. 123. Financial assistance.".

(3) By amending the item relating to title II to read as follows:

"TITLE II—NATIONAL SENIOR SERVICE CORPS".

(4) By striking the item relating to section 224 and inserting the following new item:

"Sec. 224. Use of locally generated contributions in National Senior Service Corps.".

(5) By inserting after the item relating to section 227 the following new items:

"Sec. 228. Continuity of service.
"Sec. 229. Acceptance of donations.".

(6) By striking the item relating to section 502 and inserting the following new item:

"Sec. 502. National Senior Service Corps.".

TITLE V—EFFECTIVE DATE

SEC. 5101. EFFECTIVE DATE.

Unless specifically provided otherwise, the amendments made by this Act shall take effect on the date of the enactment of this Act.

SEC. 5102. SERVICE ASSIGNMENTS AND AGREEMENTS.

(a) SERVICE ASSIGNMENTS.—Changes pursuant to this Act in the terms and conditions of terms of service and other service assignments under the national service laws (including the amount of the education award) shall apply only to individuals who enroll or otherwise begin service assignments after 90 days after the date of enactment of this Act, except when agreed upon by all interested parties.

(b) AGREEMENTS.—Changes pursuant to this Act in the terms and conditions of grants, contracts, or other agreements under the national service laws shall apply only to such agreements entered into after 90 days after the date of enactment of this Act, except when agreed upon by the parties to such agreements.

(c) EXCEPTION.—Subsections (a) and (b) do not apply to the amendments made by this Act to section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001). Any changes pursuant to those amendments apply as specified in those amendments.

TITLE VI—CONGRESSIONAL COMMISSION ON CIVIC SERVICE

SEC. 6101. SHORT TITLE.

This title may be cited as the "Congressional Commission on Civic Service Act".

SEC. 6102. FINDINGS.

Congress finds the following:

(1) The social fabric of the United States is stronger if individuals in the United States are committed to protecting and serving our Nation by utilizing national service and volunteerism to overcome our civic challenges.

(2) A more engaged civic society will strengthen the Nation by bringing together people from diverse backgrounds and experiences to work on solutions to some of our Nation's major challenges.

(3) Despite declines in civic health in the past 30 years, national service and volunteerism among the Nation's youth are increasing, and existing national service and volunteer programs greatly enhance opportunities for youth to engage in civic activity.

(4) In addition to the benefits received by nonprofit organizations and society as a whole, volunteering and national service provide a variety of personal benefits and satisfaction and can lead to new paths of civic engagement, responsibility, and upward mobility.

SEC. 6103. ESTABLISHMENT.

There is established in the legislative branch a commission to be known as the "Congressional Commission on Civic Service" (in this title referred to as the "Commission").

SEC. 6104. DUTIES.

(a) GENERAL PURPOSE.—The purpose of the Commission is to gather and analyze information in order to make recommendations to Congress to—

(1) improve the ability of individuals in the United States to serve others and, by doing so, to enhance our Nation and the global community;

(2) train leaders in public service organizations to better utilize individuals committed to national service and volunteerism as they manage human and fiscal resources;

(3) identify and offer solutions to the barriers that make it difficult for some individuals in the United States to volunteer or perform national service; and

(4) build on the foundation of service and volunteer opportunities that are currently available.

(b) SPECIFIC TOPICS.—In carrying out its general purpose under subsection (a), the Commission shall address and analyze the following specific topics:

(1) The level of understanding about the current Federal, State, and local volunteer programs and opportunities for service among individuals in the United States.

(2) The issues that deter volunteerism and national service, particularly among young people, and how the identified issues can be overcome.

(3) Whether there is an appropriate role for Federal, State, and local governments in overcoming the issues that deter volunteerism and national service and, if appropriate, how to expand the relationships and partnerships between different levels of government in promoting volunteerism and national service.

(4) Whether existing databases are effective in matching community needs to would-be volunteers and service providers.

(5) The effect on the Nation, on those who serve, and on the families of those who serve, if all individuals in the United States were expected to perform national service or were required to perform a certain amount of national service.

(6) Whether a workable, fair, and reasonable mandatory service requirement for all able young people could be developed, and how such a requirement could be implemented in a manner that would strengthen the social fabric of the Nation and overcome civic challenges by bringing together people from diverse economic, ethnic, and educational backgrounds.

(7) The need for a public service academy, a 4-year institution that offers a federally funded undergraduate education with a focus on training future public sector leaders.

(8) The means to develop awareness of national service and volunteer opportunities at a young age by creating, expanding, and promoting service options for elementary and secondary school students, through service learning or other means, and by raising awareness of existing incentives.

(9) The effectiveness of establishing a training program on college campuses to recruit and educate college students for national service.

(10) The effect on United States diplomacy and foreign policy interests of expanding service opportunities abroad, such as the Peace Corps, and the degree of need and capacity abroad for an expansion.

(11) The constraints that service providers, nonprofit organizations, and State and local agencies face in utilizing federally funded volunteer programs, and how these constraints can be overcome.

(12) Whether current Federal volunteer programs are suited to address the special skills and needs of senior volunteers, and if not, how these programs can be improved such that the Federal Government can effectively promote service among the "baby boomer" generation.

(c) METHODOLOGY.—

(1) PUBLIC HEARINGS.—The Commission shall conduct public hearings in various locations around the United States.

(2) REGULAR AND FREQUENT CONSULTATION.—The Commission shall regularly and frequently consult with an advisory panel of Members of Congress appointed for such purpose by the Speaker of the House of Representatives and the majority leader of the Senate.

SEC. 6105. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 8 members appointed as follows:

(A) 2 members appointed by the Speaker of the House of Representatives.

(B) 2 members appointed by the minority leader of the House of Representatives.

(C) 2 members appointed by the majority leader of the Senate.

(D) 2 members appointed by the minority leader of the Senate.

(2) QUALIFICATIONS.—The members of the Commission shall consist of individuals who are of recognized standing and distinction in the areas of international public service, national public service, service-learning, local service, business, or academia.

(3) DEADLINE FOR APPOINTMENT.—The members of the Commission shall be appointed not later than 90 days after the date of the enactment of this title.

(4) CHAIRPERSON.—The Chairperson of the Commission shall be designated by the Speaker of the House of Representatives at the time of the appointment.

(b) TERMS.—

(1) IN GENERAL.—The members of the Commission shall serve for the life of the Commission.

(2) VACANCIES.—A vacancy in the Commission shall not affect the power of the remaining members to execute the duties of the Commission but any such vacancy shall be filled in the same manner in which the original appointment was made.

(c) COMPENSATION.—

(1) RATES OF PAY; TRAVEL EXPENSES.—Each member shall serve without pay, except that each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(2) PROHIBITION OF COMPENSATION OF FEDERAL EMPLOYEES.—Notwithstanding paragraph (1), any member of the Commission who is a full-time officer or employee of the United States may not receive additional pay, allowances, or benefits because of service on the Commission.

(d) MEETING REQUIREMENTS.—

(1) FREQUENCY.—

(A) QUARTERLY MEETINGS.—The Commission shall meet at least quarterly.

(B) ADDITIONAL MEETINGS.—In addition to quarterly meetings, the Commission shall meet at the call of the Chairperson or a majority of its members.

(2) QUORUM.—5 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(3) MEETING BY TELEPHONE OR OTHER APPROPRIATE TECHNOLOGY.—Members of the Commission are permitted to meet using telephones or other suitable telecommunications technologies provided that all members of the Commission can fully communicate with all other members simultaneously.

SEC. 6106. DIRECTOR AND STAFF OF COMMISSION; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—

(1) APPOINTMENT.—The Commission shall have a Director who shall be appointed by the Chairperson with the approval of the Commission.

(2) CREDENTIALS.—The Director shall have credentials related to international public service, national public service, service-learning, or local service.

(3) SALARY.—The Director shall be paid at a rate determined by the Chairperson with the approval of the Commission, except that the rate may not exceed the rate of basic pay for GS–15 of the General Schedule.

(b) STAFF.—With the approval of the Chairperson, the Director may appoint and fix the pay of additional qualified personnel as the Director considers appropriate.

(c) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay for GS–15 of the General Schedule.

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, Chairperson, or Director, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this title.

SEC. 6107. POWERS OF COMMISSION.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this title, hold public hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—Upon request of the Chairperson, the head of any department or agency shall furnish information to the Commission that the Commission deems necessary to enable it to carry out this title.

(d) PHYSICAL FACILITIES AND EQUIPMENT.—The Architect of the Capitol, in consultation with the appropriate entities in the legislative branch, shall locate and provide suitable facilities and equipment for the operation of the Commission on a nonreimbursable basis.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Architect of the Capitol and the Administrator of General Services shall provide to the Commission on a nonreimbursable basis such administrative support services as the Commission may request in order for the Commission to carry out its responsibilities under this title.

SEC. 6108. REPORTS.

(a) INTERIM REPORT.—The Commission shall submit an interim report on its activities to the appropriate committees of Congress not later than 20 months after the date of the enactment of this title.

(b) FINAL REPORT.—

(1) DEADLINE.—The Commission shall submit a final report on its activities to the appropriate committees of Congress not later than 120 days after the submission of the interim report under subsection (a).

(2) CONTENTS.—The final report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for proposed legislation.

SEC. 6109. TERMINATION.

The Commission shall terminate not later than 30 days after submitting its final report under section 6108(b)(1).

I. PURPOSE

The purpose of H.R. 1388, the Generations Invigorating Volunteerism and Education Act, or the GIVE Act, is to reauthorize and reform the national service laws.

II. COMMITTEE ACTION

107TH CONGRESS

Subcommittee on Select Education Hearings

On April 11, 2002, the Subcommittee on Select Education held a hearing on "The Corporation for National and Community Service," to evaluate Administration proposals to reauthorize programs

under the Corporation for National and Community Service. On April 25, 2002, the Subcommittee held a legislative hearing titled "Citizen Service in the 21st Century." The hearing considered H.R. 3465, the Call to Service Act of 2001 and other service initiatives and issues related to the reauthorization of programs under the Corporation for National and Community Service. On May 24, 2002, Representatives Pete Hoekstra (R–MI), and Tim Roemer (D–IN) introduced H.R. 4854, the Citizens Service Act of 2002, a bipartisan bill to reauthorize and reform the national service laws through fiscal year 2007. On June 5, 2002, the Subcommittee on Select Education considered H.R. 4854 in legislative session and reported it favorably, as amended, to the Committee on Education and the Workforce by voice vote. On June 12, 2002, the Committee on Education and the Workforce considered H.R. 4854 in legislative session and reported it favorably, as amended, to the House of Representatives by voice vote. The House of Representatives took no further action on the measure.

110TH CONGRESS

Subcommittee on Healthy Families and Communities Hearings

On February 27, 2007, the Subcommittee on Healthy Families and Communities held a hearing titled, "Strengthening Communities: An Overview of Service and Volunteering in America." The hearing presented an overview of the Corporation for National and Community Service ("the Corporation") and identified areas for improvement. The following witnesses testified before the Subcommittee: Mr. David Eisner, CEO, Corporation for National and Community Service, Washington, D.C.; Mr. Thomas Daigle, AmeriCorps Member, Habitat for Humanity of Charlotte (Class of 2004–2006), Falls Church, Virginia; Mr. David Edelman, National Civilian Community Corps (NCCC) Member (Class of 2005), Merrick, New York; Mr. John Gomperts, Executive Director, Experience Corps, Washington, D.C.; Mr. George H. Moore, Executive Director, Community Progress Council, York, Pennsylvania.

On April 19, 2007, the Subcommittee held a hearing titled, "Renewing the Spirit of National and Community Service." The hearing examined new avenues and perspectives on service including methods to engage volunteers through the media, new programs to attract middle school youth, programs to engage scientists and engineers, programs to actively involve youth in science and engineering and community service, and activities to engage alumni of national service programs in continued local and national service. The following witnesses testified at the hearing: Mr. Robert Newman, Actor, "The Guiding Light", New York, New York; Ms. Susan E. Stroud, Executive Director, Innovations in Civic Participation (ICP), Washington, D.C.; Mr. Robert Purifico, President, Deniation ImagiNation (DI), Glassboro, New Jersey; Ms. Marcia Brown, Hands On Atlanta, Atlanta, Georgia; Mr. Paul R. Gudonis, For Inspiration and Recognition of Science and Technology (FIRST), Manchester, New Hampshire.

On June 26, 2007, Representative Carolyn McCarthy, along with Representatives Todd Russell Platts (R–PA), George Miller (D–CA), Ruben Hinojosa (D–TX), and Doris Matsui (D–CA), introduced H.R. 2857, the Generations Invigorating Volunteerism and Education

Act, or the GIVE Act, a bill to reauthorize the national service laws. On June 27, 2007, the Committee on Education and Labor considered H.R. 2857 in legislative session, and reported the bill favorably, as amended, to the House of Representatives. On March 6, 2008, the House debated H.R. 2857 and following a motion to recommit "promptly", Chairman Miller made a unanimous consent request to offer the motion to recommit "forthwith", which was rejected. Consequently, the Committee of the Whole House did rise.

On March 10, 2008, Representative Carolyn McCarthy introduced H.R. 5563. On March 12, 2008, H.R. 5563 was debated in the House under a motion to suspend the rules. The bill failed by a vote of 277–140.

111TH CONGRESS

Committee on Education and Labor Hearing

On February 25, 2009, the full Committee held a hearing titled, "Renewing America through National Service and Volunteerism." The hearing capitalized, in part, on the momentum following the inauguration of President Barack Obama, who made service and volunteerism a national priority. The hearing examined ways in which Americans are serving the country and how service can meet critical economic needs. The following witnesses testified at the hearing: Mr. Richard Stengel, Managing Editor, Time Magazine, New York, New York; former Senator Harris Wofford, Commonwealth of Pennsylvania; Mr. Usher Raymond, IV, Chairman, Usher's New Look Foundation, Atlanta, Georgia; Mr. James Harris, youth participant, Usher's New Look Foundation, Chattanooga, Tennessee; Mr. Van Jones, Founder and President, Green For All, Oakland, California; Dr. Cheryl Dorsey, President, Echoing Green, New York, New York; Sgt. Major Kenneth Preston, United States Army, Washington, D.C.; Mr. David Caprara, Director and nonresident fellow, the Brookings Institute on International Volunteering and Service, Washington, D.C.; and Ms. Lisa Hamilton, President, UPS Foundation, Atlanta, Georgia.

Introduction of the Generations Invigorating Volunteerism and Education (the GIVE) Act

On March 9, 2009, Representative Carolyn McCarthy, along with Chairman George Miller, and eleven other Committee Democrats, introduced H.R. 1388, the Generations Invigorating Volunteerism and Education Act, or the GIVE Act, a bill to reauthorize the national service laws.

Full Committee Markup of H.R. 1388, the GIVE Act

On March 11, 2009, the Committee on Education and Labor considered H.R. 1388 in legislative session, and reported the bill favorably, as amended, to the House of Representatives. The roll call vote was 34–3.

The amendment in the nature of a substitute contains minor technical changes and the following additions to H.R. 1388:

- places a priority on involving middle school students in Summer of Service programs;
- strengthens indicators for the new Corps;

• encourages partnership with the National Park System under the Clean Energy Corp;

• ensures compliance and consistency with evaluation, performance, and other goals under national service laws; and,

• makes other technical edits to improve the administration and management of service programs.

The Committee adopted the following amendments:

1. An Amendment offered by Mr. Tonko (NY) and Mr. Miller, adopted by voice vote. The amendment establishes a Social Innovation Fund.

2. An Amendment offered by Mr. Loebsack (IA), adopted by voice vote. The amendment increases administrative funding for State Commissions to address capacity issues related to expansion of service.

3. An Amendment offered by Mr. Polis (CO), adopted by voice vote. The amendment requires the Corporation to collect disaggregated data on volunteers, including information on the age, race, gender, ethnicity and household income of individuals involved in service activities.

4. An Amendment offered by Mr. Ehlers (MI), adopted by voice vote. The amendment adds new uses of funds for energy audits, home insulation or other efforts to promote energy efficiency to the Programs of National Significance in RSVP.

III. Summary of the Bill

PURPOSE

The purpose of H.R. 1388, the Generations Invigorating Volunteerism and Education (the GIVE Act), is to renew the spirit of service within our nation by reauthorizing the national service laws. The GIVE Act sets a goal for the Corporation for National and Community Service to recruit 250,000 volunteers by 2014. The bill also increases service opportunities for middle school and high school students through the Summer of Service program. Alumni of the national service programs are encouraged to re-engage in service activities through an alumni network and a Reserve Corps. H.R. 1388 calls upon our nation's scientists, technicians, engineers, and mathematicians (the STEM Professionals) to participate in service to increase America's competitiveness in the global knowledge economy and to reduce the digital divide in low-income and rural communities. Finally, the bill improves program integrity and emphasizes the critical role of service in meeting the national priorities of emergency and disaster preparedness.

LEARN AND SERVE AMERICA

The service-learning community and the Corporation have rebranded the name of the program from Service-Learning to Learn and Serve America. H.R. 1388 recognizes this modification by changing the program title to Learn and Serve America.

Elementary and secondary programs

H.R. 1388 commits 60 percent of funds authorized for Learn and Serve America to programs in elementary and secondary schools. The bill eliminates the competitive grants, and authorizes civic engagement in service-learning as an allowable use of funds. The bill

sets the match requirement for existing programs at fifty percent, and increases the match requirement for new programs. H.R. 1388 eliminates the ability for grantees to count other federal funding sources toward the match, however, Title I funds may be used toward the match at the discretion of the Corporation. The bill raises the amount of grant funds that may be used for administrative purposes from five to six percent. The bill creates a small-state minimum funding requirement of $65,000 for a fiscal year in which the Learn and Serve America Program appropriations exceed $50,000,000. H.R. 1388 eliminates the cap on capacity building activities. The bill strengthens the consultation between Learn and Serve America and the U.S. Department of Education.

Higher education

The GIVE Act continues to provide 25 percent of the authorized funds to support higher education service-learning programs. The bill expands the allowable use of funds for programs in institutions of higher education (IHE's) to programs that incorporate service-learning in the curricula of health, criminal justice, public policy and public administration professions. Special consideration is given to applications received from Historically Black Colleges and Universities, Hispanic-serving Institutions, and Tribal Colleges and Universities. In order to be eligible for funds under this part, the bill requires IHEs to be in compliance with the federal work study requirements under section 443(b)(2) of the Higher Education Act.

The bill creates a new program, Campuses of Service. This program identifies and recognizes as model service-learning IHE's, those institutions that engage students in community service activities, provide service-learning courses, and encourage or assist graduates to pursue careers in public service, the nonprofit sector or government. The program permits the Corporation to designate twenty-five IHEs as Campuses of Service annually. Designated IHE's receive funding which may be used to develop and disseminate service-learning best practices.

Innovative Service-Learning Programs and Research

The GIVE Act restructures the Community-Based Service Programs for School-Age Youth into the Innovative Service-Learning Programs and Research and provides 15 percent of authorized funds for this part. H.R. 1388 authorizes the Corporation to award traditional or fixed amounts grants (discussed below) for service-learning projects that are focused on STEM education, energy conservation, emergency and disaster preparedness, reducing the digital divide, mentoring, research and evaluations (including research on middle school service-learning), and other programs the Corporation deems appropriate. The bill gives priority to programs that involve students and community stakeholders in the design and implementation of the program, programs that implement service-learning in low-income or rural communities, and programs that utilize adult volunteers, particularly retired or retiring adults. The bill moves the Learn and Serve Clearinghouse into Subtitle H, the National Service Programs Clearinghouse.

H.R. 1388 authorizes two new service-learning programs under this section. The Summer of Service program offers students in grades 6–12 service-learning opportunities during the summer

months. The bill gives priority to programs that enroll youth in grades 6 through 9. Students who complete 100 hours of service during the program earn a Summer of Service Educational Award of $500 to be used to pay part of the cost of college. H.R 1388 also gives the Director of the Corporation discretion to raise the education awards to $1000 for economically disadvantaged youth. Students may earn two Summer of Service education awards. The number of Summer of Service education awards does not count against the student's potential for earning the aggregate of two full-time National Service education awards through the AmeriCorps State and National programs or through the VISTA program. The bill also creates Youth Engagement Zone Programs. These programs provide competitive grants for partnerships between local educational agencies (LEAs) that serve high-need, low-income communities and community-based organizations (CBOs) or state entities to engage with secondary students and out-of-school youth.

The GIVE Act allows the use of fixed-amount grants for programs in this part. Fixed amount grants are structured such that the Corporation funds a fixed amount for operational and member support costs, including the funds for the National Service Education Award. The bill gives the Corporation the opportunity to add a fourth year of funding if the program is meeting agreed upon performance measures and other criteria the Corporation requires. The GIVE Act requires an independent evaluation of the program upon completion and the dissemination of effective strategies and recommendations for improvement based on the evaluation.

THE NATIONAL SERVICE TRUST

Limitations on grants to federal agencies

H.R 1388 restricts the Corporation from making grants directly to other federal agencies to operate national service programs. However, the GIVE Act does not prohibit interagency agreements, cost-sharing agreements, or contracts between federal agencies. As in the Learn and Serve subtitle, the bill increases the allowable percentage of the grant to be used for administrative costs from 5 percent to 6 percent. H.R 1388 combines the separate matches of 75 percent for program operation and 85 percent for member support into one match, which begins at 75 percent and over a period of ten years reaches 50 percent. This change is consistent with current regulations.

National Service trust programs

The GIVE Act expands opportunities for participants to serve by increasing the number of programs that may be offered by the Corporation and establishing new service corps to address key needs in low-income communities, including a Clean Energy Corps, an Education Corps, a Healthy Futures Corps, a Veterans Corps and an Opportunity Corps. Furthermore, the GIVE Act increases opportunities for disadvantaged youth and individuals with disabilities to become involved in national and community service.

The bill requires participants who serve as tutors to have a high school diploma, pass a proficiency exam, and complete provided training. H.R. 1388 increases the grant available for State Commis-

sions to new amounts ranging from $250,000 to $1,000,000. The bill also changes the match requirements for State Commissions operating grants.

Formula allocations

H.R. 1388 creates a new funding stream that provides 35.3 percent for formula grants and 62 percent for competitive grants, maintaining the 2 percent set-aside for tribes and territories. The GIVE Act also raises the small-state minimum from $500,000 to $600,000.

H.R. 1388 authorizes the Corporation to award fixed amount grants. Fixed amount grants have been authorized in the Education Awards Only Program since fiscal year 2004. But H.R. 1388 expands the Corporation's authority to award fixed price grants across the national service programs. In the first year following enactment, fixed amount awards may be used for the Education Award Only Program and for programs with full-time participants. In subsequent years, the Corporation may award fixed amount grants to any national service program.

The Education Award Only program gives $600 per participant or up to $800 per participant if the program has 50 percent disadvantaged youth as participants. The amount will be adjusted for inflation annually. The Corporation will determine the appropriate grant amount per member depending on the time commitment of the member. If a participant does not complete a term of service, the organization is required to return a pro rata amount to the Corporation, based on the amount of time performed by the individual.

The National Service trust

H.R. 1388 includes provisions clarifying the disbursement of the National Service Education Awards, the Summer of Service Education Awards, and associated waivers and limitations. In particular, H.R. 1388 changes the limits on the National Service Education Award to equal the aggregate of two full time awards. The aggregate value of the Summer of Service Education Awards shall have no affect on the aggregate value of the National Service Education Awards an individual may receive. Further, the GIVE Act links the value of the full-time Education Award to the maximum authorized Pell Grant award. Further, H.R. 1388 requires the Corporation to maintain a reserve account to ensure adequate funding for the education awards.

NATIONAL CIVILIAN CONSERVATION CORPS (NCCC)

H.R. 1388 includes technical amendments to the NCCC. The GIVE Act emphasizes the purpose of the NCCC as a residential program to be deployed in times of national need including emergencies and disasters. In addition, H.R. 1388 requires the NCCC to carry out projects and activities when not deployed including infrastructure improvement, environmental stewardship and conservation, energy conservation, and urban and rural development and other unmet needs.

H.R. 1388 directs the NCCC to increase the percentage of disadvantaged youth participants to 50 percent by 2011. H.R 1388 authorizes, to the extent practicable, that each NCCC participant re-

ceives training in CPR, first aid, and other skills related to disaster and emergency preparedness. The bill also expands the Advisory Board of the NCCC to include the Administrator of the Federal Emergency Management Agency, the Secretary of Transportation, the Chief of the United States Forest Service, the Administrator of the Environmental Protection Agency, and the Secretary of Energy to help coordinate activities when the Corps is not deployed and to coordinate the mobilization and coordination of the NCCC in emergency and disaster responses.

ADMINISTRATIVE PROVISIONS

H.R. 1388 modifies provisions that limit program grant costs. The bill also includes provisions to increase parental involvement in program development and operation, and requires programs to obtain parental permission when transporting minors.

STATE COMMISSIONS

The GIVE Act clarifies that State Commissions shall employ an open process for developing the national service plan, include measurable goals and outcomes in the plan, and ensure outreach to diverse communities. Furthermore, the national service plan shall include recommendations on how to recruit the Baby Boom generation and older adults for service, including coordination among appropriate agencies.

PROGRAM EVALUATION

H.R. 1388 provides new parameters for program evaluation, including performance measures that must be agreed upon by the grantee and the Corporation. The bill also includes a structure for corrective action plans that distinguishes between programs that have received assistance for less than three years and programs that have received assistance for three years or more. It further describes the actions that shall take place if programs do not meet performance levels after the corrective action plan has been attempted and failed.

CONSOLIDATED APPLICATIONS

H.R. 1388 requires the Corporation to consolidate or modify application procedures to ease the burden on applicants and grantees. Additionally, the bill requires the Corporation to set sustainability goals supported by policies and procedures, such as technical assistance. H.R. 1388 sets the length of grants at three years unless otherwise stated, and clarifies limitations on the costs per participant for AmeriCorps State and National programs.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

The GIVE Act establishes a five year term for each appointed Board member. A voting member of the Board whose term has expired may serve up to one year beyond his or her term until a successor is appointed. The bill also augments the Board's responsibilities to include setting policy for the Corporation, reviewing the budget proposal before it is sent to the Office of Management and Budget, and annually reviewing the work of the Chief Executive Officer of the Corporation.

Full-time participants

H.R. 1388 requires the Chief Executive Officer (CEO) to establish a strategic plan for increasing the number of full-time participants in national service programs to 50 percent by 2012. In addition, the CEO must obtain the opinions of peer reviewers in evaluating applications for programs under Title I of NCSA. The GIVE Act includes a provision to allow the Corporation to accept the donated services of individuals and organizations.

Employees

The GIVE Act designates the Chief Financial Officer as a competitive service position rather than a political appointment. Additionally, the CEO's salary is increased to Executive Schedule III plus three percent, equal to that of the Inspector General.

H.R. 1388 amends the duties of the CEO to increase public awareness of service opportunities, increase recruitment efforts, and collaborate with outside organizations to increase diversity of participants, including those with disabilities. The GIVE Act adds new evaluation reports and studies for which the CEO is responsible.

INVESTMENT FOR QUALITY AND INNOVATION

H.R. 1388 authorizes new activities including service projects that help to reduce the recidivism of court-involved youth and adults; programs that recruit court-involved youth and adults; programs that support mentoring and programs that engage disadvantaged youth. H.R. 1388 authorizes the use of traditional grants or fixed amount grants for these activities. The three year grant may be extended an additional year if the program is meeting agreed upon performance measures and other criteria the Corporation requires. H.R. 1388 also requires an independent evaluation of the programs and dissemination of effective strategies and recommendations for improvement. In addition, H.R. 1388 moves the activities of the national service-learning clearinghouse and AmeriCorps clearinghouse into Subtitle H.

Further, the GIVE Act establishes a Call to Service Campaign to encourage all Americans to serve. The bill also recognizes September 11th as a National Day of Service, and authorizes the Corporation to make grants to support its activities.

ServeAmerica Fellowships

H.R. 1388 introduces ServeAmerica Fellowships as a new service opportunity. The fellowships are for individuals who want to serve in their communities through an independent experience. An individual applies through the State Commission with an idea to serve. If approved, the fellow finds a sponsor organization, which is not served by other national service funding. Following an agreement between the organization and the fellow, the individual receives a grant from the State Commission. H.R. 1388 requires that one third of the grants made to the State Commissions be used to fund fellows in organizations with less than ten full-time employees. A fellow receives a grant in the amount of 50 percent of the VISTA living allowance, with the sponsor organization agreeing to pay an additional amount.

Silver Scholarships and Encore Fellowships

H.R. 1388 establishes Silver Scholarships and Encore Fellowships as new opportunities to encourage baby boomers and seniors to get involved in service. The Silver Scholarships are for individuals age 55 or older who complete 500 hours of service in a year. Scholars must focus their service on meeting unmet human, educational, public safety, or environmental needs. In exchange for their service, scholars will receive a $1,000 educational award.

The Encore Fellowships, similar to the ServeAmerica Fellowships, permit individuals age 55 or older to seek out a volunteer opportunity within their communities. Fellows are placed for one-year with an approved nonprofit organization to carry out service projects in areas of national need. These fellowships are specifically targeted to individuals who want to transition into a second career in the nonprofit sector or in government. In addition to volunteering, fellows will receive training and leadership development to prepare them for their new careers. Approved organizations that participate in the program, will receive $11,000 to pay for the living expenses and training of Encore Fellows. In addition, fellows who complete their service will receive a National Service Educational Award.

TRAINING AND TECHNICAL ASSISTANCE

H.R. 1388 consolidates the training and technical assistance activities authorized throughout the National and Community Service Act of 1990 (NCSA) and the Domestic Volunteer Service Act of 1973 (DVSA) into a single subtitle. The GIVE Act requires the Corporation to provide training and technical assistance to programs receiving assistance under these Acts. Training and technical assistance includes assistance in applying for financial assistance authorized under the acts; promoting leadership; improving quality of programs; developing management and budgetary skills; providing or improving the training available to participants; training in volunteer recruitment, management, and retention; training in evaluation and performance measures; training in accommodating participants with disabilities and establishing networks to better leverage resources to coordinate community wide planning and service. The bill increases training and technical assistance for programs in underserved rural and urban areas, as well as programs serving out-of-school youth, and older adults.

TITLE II: DOMESTIC VOLUNTEER SERVICE ACT

Volunteers in Service to America Act

H.R. 1388 adds new program assignments for VISTA participants, including assignments to assist in the re-entry and re-integration of formerly incarcerated youth and adults; financial literacy and financial planning; after-school programs serving children in low-income communities; community economic development activities; veterans and their families; and in addressing the health and wellness of low-income communities. The bill places priority on the recruitment of disadvantaged youth and retired adults (including those whose careers would be useful in low-income communities). In addition, H.R. 1388 permits an organization to pay all or a portion of the costs to support a VISTA position. H.R. 1388 also pro-

vides funding for programs of national significance, similar to the programs of national significance authorized in section 221 of the DVSA.

H.R. 1388 raises the stipend for a VISTA participant to a minimum of $125 per month with a maximum of $150 per month subject to the availability of funds. The stipend may be increased to $250 for participants who provide service for at least one year and have been designated as volunteer leaders. H.R 1388 repeals the VISTA University Year, the VISTA Literacy Corps, and the Literacy Challenge Grants.

NATIONAL SENIOR SERVICE CORPS

Retired Senior Volunteer Program

H.R 1388 places a priority on projects that utilize retired STEM professionals, retired health care professionals, retired military and emergency professionals, and retired computer science professionals. The bill phases in competition of grants over a five year period and requires the Corporation to consult and coordinate with RSVP grantees on the development and implementation of the competitive process. Further, H.R. 1388 requires that any grant awarded under recompetition must continue to support the same number of volunteer service years, offer a similar program distribution, and minimize disruption of volunteers.

Foster Grandparent Programs

H.R. 1388 lowers the age of participation for the Foster Grandparent Program to 55 years of age. H.R. 1388 authorizes the continuation of services by a foster grandparent if it is in the best interest of the child after the age of 21. H.R 1388 also includes a provision that if a foster grandparent is suspended or discontinued, then all parties involved shall agree upon the replacement of the foster grandparent.

H.R. 1388 sets the minimum stipend for a foster grandparent at $2.65, which shall not exceed 75 percent of minimum wage. The bill adjusts the income limitation to 200 percent of poverty for participants in this program eligible for a stipend. H.R. 1388 allows grantees to have 15 percent of the participants who do not meet the low-income eligibility requirement if the program can show that it is unable to effectively recruit and place low-income volunteers. Furthermore, an individual who is not a low-income person may not become a volunteer under this part if it would prevent a low-income person from participating in the program. Over-income volunteers are not eligible to receive a stipend. The Director may provide a stipend or allowance that is 10 percent more than the amount earned to volunteer leaders who take on coordination and training roles.

Senior Companions Program

H.R. 1388 parallels the provisions relating to age eligibility, stipend level, and income eligibility of the Foster Grandparents Program in the Senior Companions Program. Similarly, the bill allows grantees to have 15 percent of the participants who do not meet the low-income eligibility requirement if the program can show that it is unable to effectively recruit and place low-income volun-

teers, and an individual who is not a low-income person may not become a volunteer under this part if it would prevent a low-income person from participating in the program. Over-income volunteers are not eligible to receive a stipend. The Director may provide a stipend or allowance that is 10 percent more than the amount earned to volunteer leaders who take on coordination and training roles.

Programs of National Significance for the NSSC

H.R. 1388 allows programs of national significance to include programs that engage older adults with children and youth in energy conservation, environmental stewardship, or other environmental needs of the community and programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth or those youth re-entering society after incarceration and their families. The bill requires that 50 percent of the applicants of grants under this section are not currently receiving funding from the Corporation and, when possible, in locations where there are not current National Senior Service Corps programs.

Donations

H.R. 1388 includes a provision to allow the National Senior Service Programs to accept cash or in-kind donations.

IV. Committee Views

OVERVIEW

H.R. 1388, the GIVE Act, reflects the Committee's interest in renewing the spirit of service in the United States by engaging individuals, organizations, and communities in activities that help meet unmet national needs and solve local challenges. Under previous leadership, the Committee performed oversight of the Corporation for National and Community Service that focused primarily on the financial and accounting practices of the Corporation. This term the Committee turns its focus to the next generation of service: increasing the number of AmeriCorps volunteers to 250,000 by 2014; increasing the numbers of participants engaged in full-time service and focusing participants on core issues facing communities in need; recruiting disadvantaged youth, veterans, science, technology, engineering, and mathematics professionals; and engaging the Baby Boom generation into service for their communities and the nation; and fostering the spirit of service and civic engagements in young people at an early age through programs such as the Summer of Service and Youth Engagement Zones.

Through the GIVE Act, the Committee also seeks to remove barriers for the many organizations that work with volunteers in carrying out service activities and provide new mechanisms to invest in community based non-profit organizations that have proven expertise in addressing local challenges and unmet needs, as well as organizations that are eager to try out new ideas and new ways for addressing local issues. These organizations will play a critical role in introducing service to a new generation and re-engaging individuals and communities in service to the country.

School-based programs

Service-learning is a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civic responsibility, and strengthen communities. Service-learning provides structured time for students to reflect on their service by thinking, discussing and/or writing about their service experience. The Committee recognizes that when service-learning is integrated into the academic curricula, students apply the substance of what they are learning, using their skills and knowledge to solve real-life community challenges through service. When students appreciate the relevance of their learning, motivation increases. This appreciation leads to increased levels of engagement in school. In addition, they are more likely to successfully master the content of their studies. Research confirms that students are more likely to learn academic content when it is relevant to their lives. Service-learning empowers students by connecting their service with concrete results in their community. The benefits of service-learning include students gaining a sense of pride and ownership in their service and their community. According to the Corporation for Community and National Service, one of the primary ways that schools provide opportunities for students to become active in their communities is through school-based service. In the report by the Corporation titled, Youth Helping America, only 38 percent of the youth surveyed reported current or past participation in school-based service-learning and of those, 64 percent were enrolled in one class that included school-based service-learning. The report also found that high school students are 37 percent more likely than middle school students to participate in school-based service-learning. Given these results, the Committee modified the Learn and Serve program to give greater emphasis to school-based service-learning.

The Committee recognizes the importance of improving the understanding of how our government functions and its foundations, and has expanded funding uses to civic engagement service-learning programs. The bill adds a new provision which strengthens the consultation between Learn and Serve America and the U.S. Department of Education. Service-learning programs can have a significant impact on meeting the U.S. Department of Education's benchmarks for academic achievement, engaged learning, 21st century skill development and student resilience. It is critical that the two agencies coordinate and collaborate to the extent that they have a shared mission to increase students' engagement in their curriculum and improve students' academic performance.

H.R. 1388 changes the match requirements for Learn and Serve programs. While H.R. 1388 establishes a prohibition against using federal funds as a source for matching funds, funds allocated under Title I of the Elementary and Secondary Act are allowable under special circumstances. Title I funds qualify as the source as long as the funds are used consistent with Title I activities and for service-learning programs serving schools in local education agencies that meet the requirements of Section 1114 and 1116 of Title I. The Committee expects the Corporation to consult with the Department of Education on the implementation of this provision and to provide

guidance to eligible applicants based on guidance provided by the Department.

HIGHER EDUCATION

According to the Center for Information and Research on Civic Learning and Engagement:

> Volunteering is the single activity that draws the greatest number of youth participants [18–25 year olds]. In 2006, 42 percent of current students said that they had volunteered in the 12 months, while 45 percent of college graduates, 24 percent young people with college experience but not currently enrolled, and 24 percent of non-college youth said that they had volunteered in the last 12 months.

According to the Corporation, the number of college student volunteers in 2008 was three million. The Corporation continues to work to expand the number of educational institutions that are building strong community connections to further service within their student body. The Committee recognizes that colleges and universities and the students who attend them are critical to renewing the spirit of service in America.

The GIVE Act enables the strengthening of leadership and instructional capacity for service-learning in the pre-service components of health care professions (including nursing, pre-medicine, medicine and dentistry), criminal justice professions (including law enforcement and the judicial system), those professions that interact with the criminal justice system (including social work and counseling), and public policy and public administration professions. The Committee expects that as service-learning is integrated into the pre-service curricula of these programs, the leadership, knowledge, and skills of the graduates of the programs will increase, the programs will be more effective in training professionals, the faculty of the programs will continue to engage students in service-learning and participate themselves, and the community in which the programs are implemented will further benefit from the service-learning programs. The Committee recognizes that some of these curricula already contain a pre-service clinical component, but it is the intent of the Committee in including such professions in this section to encourage a coordinated effort that integrates service-learning into the clinical or pre-service curricula of these professions. Ideally, over time the faculty and students would expand service-learning to other disciplines not mentioned here. The GIVE Act provides special consideration to Hispanic Serving Institutions, Historically Black Colleges and Universities, Predominantly Black Institutions and Tribal Colleges and Universities, which tend to apply less often for service grants, to encourage the increased participation of minorities in community and national service. In order to be eligible for funds under this part, the bill requires Institutions of Higher Education (IHE) to be in compliance with the Federal Work Study requirements under section 443(b)(2) of the Higher Education Act. Finally, the bill creates a new program: Campuses of Service. This program identifies and recognizes IHE's that serve as a model Campus of Service by engaging students in community service activities, providing service-learning

courses, and encouraging or assisting graduates to pursue careers in public service in the nonprofit sector or government. The program permits the Corporation to designate twenty-five IHEs as Campuses of Service annually. Designated IHE's receive funding which may be used to develop and disseminate service-learning best practices.

Innovative service-learning and research programs

The Committee recognizes that there is an opportunity for service-learning to play a significant role in educating a new generation of youth who can contribute to America's ability to compete in the global knowledge economy. America's greatest hope for maintaining this country's global competitiveness resides within the classrooms across the nation.

H.R. 1388 replaces the Community-Based programs in current law with Innovative Service-Learning and Research programs. Grant making entities previously defined and eligible prior to H.R. 1388 remain eligible if they meet the new definition for community-based organizations in Sec. 101 of H.R. 1388. The Committee believes that Learn and Serve America should have a substantial focus on service-learning. The Committee emphasizes that this does not lessen the opportunity for community-based and non-profit organizations to apply or participate in the Innovative Service-Learning and Research grant programs (or in school-based service learning) authorized in this section. The authorized activities in this section are focused on areas of service that lend themselves to community-wide innovations such as using the relevance of science, technology, engineering, and mathematics to devise and implement solutions to community challenges.

H.R. 1388 authorizes two new service-learning programs under this section. The Summer of Service program offers students in grades 6–12 service-learning opportunities during the summer months. The bill gives priority to Summer of Service programs that enroll youth in grades 6 through 9. Students who complete 100 hours of service during the program earn a Summer of Service Educational Award of $500 to be used to pay part of the cost of college. H.R 1388 also gives the Director discretion to raise the education award to $1000 for a youth who is economically disadvantaged. Students may earn two Summer of Service education awards. The number of Summer of Service education awards does not count against the student's potential for earning the aggregate of two full-time National Service education awards through the AmeriCorps State and National programs or through the VISTA program. The bill also creates Youth Engagement Zone Programs. These programs provide competitive grants for partnerships between LEAs that serve high-need, low-income communities and CBOs or state entities to engage with secondary students and out-of-school youth.

Innovative Service-Learning and Research program grants may be awarded for energy conservation, emergency and disaster preparedness, programs aimed at improving access to and receiving the benefits from technology, and programs designed to enlist high school youth in mentoring middle school students. The Committee encourages grantees of this program to be innovative and creative

in addressing service-learning and the needs of schools and their communities.

SUBTITLE C: NATIONAL SERVICE TRUST PROGRAM

Federal agencies

H.R. 1388 prohibits the Corporation from making grants to other Federal agencies to operate national service programs, which is consistent with appropriations language. However, the Committee does not seek to inhibit collaboration and cooperation between the Corporation and other Federal agencies in fostering national and community service. Accordingly, the Committee encourages the Corporation to enter into interagency agreements, cost sharing agreements, and where appropriate, contracts for activities and programs that foster volunteerism and service.

Administrative funds

According to Voices for National Service, the National Service-Learning Partnership, the National Association of Community Health Centers, Experience Corps, and other stakeholders, grantees are challenged by the 5 percent limit on administrative uses of funds. The Committee also recognizes that State Commissions will have additional administrative responsibilities under H.R. 1388. Accordingly, the GIVE Act raises the amount of the grant permitted to be used for administration costs to 6 percent.

Matching requirements

H.R. 1388 restructures the matching requirements for grantees. Under current law, an AmeriCorps program has separate matching requirements for the federal share of the operating costs of the program and the federal share of the member support costs, including member living allowances, employment-related taxes, health care coverage, and workers compensation. In 2004, the Corporation entered into a Rulemaking process that resulted in the issuance of regulations in 2005 which combined the two requirements into one. To ease the burden of change for existing programs, the regulations provided that the combined requirements be phased in over ten years. H.R. 1388 adopts these regulations. In addition, H.R. 1388 includes an accommodation for programs in rural or severely economically distressed communities, which may have challenges meeting this matching requirement.

Modernizing AmeriCorps State and National Programs

As part of the Committee's effort to renew the spirit of service and engage more youth in service, H.R. 1388 modernizes the AmeriCorps State and National Programs. H.R. 1388 builds on the national service corps program framework that exists in current law while adding four new Corps that will target human capital to address pressing needs facing our country. These Corps concentrate national efforts on meeting certain education, health, environmental, and veterans' needs.

The Corps were designed to strengthen existing service programs and allow for new and innovative service projects to address key needs in low income communities:

• The Education Corps will help increase student engagement, achievement and graduation in low-income schools. Corps participants will be used to expand after-school opportunities, help coordinate school-based serving learning activities or augment the teaching force in low-income communities by providing certified professional teachers. H.R. 1388 includes a provision that suggests that fellows who are working toward a degree or certificate in youth development from a two-year or four-year institution of higher education should be allowed to participate in projects funded under the Education Corps. The Committee believes that this hands-on experience will be extremely helpful to both the fellow and the students being served by this fellow. However, the Committee does not believe this language requires that all individuals who are working on projects funded under this provision need to have college degrees. The Committee recognizes that there are many qualified individuals in our country that may have taken a different path in life and can still offer high-quality instruction and guidance in after-school programs and 21st Century Community Learning Centers. The Committee believes that participants in this program should work towards this goal but, in including this language, the Committee in no way intends to limit these individuals from participating in national service projects.

• The Clean Energy Corps directs service resources toward clean energy and "green" efforts. Through such activities as helping weatherize and retrofit housing units for low-income individuals, the Clean Energy Corps will leverage volunteers toward making our communities more energy efficient.

• The Healthy Futures Corps is dedicated to activities that will improve and expand health care access and help disadvantaged individuals navigate the healthcare system, with an emphasis on the medically underserved.

• The Veterans Corps will not only provide services to veterans but also take advantage of the skills and experience they have to offer this country. It will also promote community based efforts to meet the unique needs of military families while a family member is deployed and when they return home.

In addition to the four specialized corps, H.R. 1388 establishes an Opportunity Corps to build upon current law by promoting service programs to address the needs of rural communities, including rural poverty and job training; a program to help eliminate hunger through service; an E-Corps program to help increase access to technology in communities; a program that engages citizens in public safety, public health, and emergency and disaster preparedness; a program to expand the number of mentors of youth, including disadvantaged youth; and a program to re-engage court-involved youth and adults with the goal of reducing recidivism.

H.R. 1388 establishes performance indicators for each of the new corps. The Committee intends these indicators to serve as a benchmark for the Corporation to evaluate and measure the outcome and success of these programs. While there are indicators for each of the Corps, the Committee does not intend for these indicators to be exhaustive or final. As such, H.R. 1388 requires the Corporation to consult with the various Secretaries, including Education, Health and Human Services, Energy, Veterans Affairs, Department of the Interior, the Administrator of the Environmental Protection Agen-

cy, and the Attorney General, as appropriate, to develop additional performance indicators for the Corps.

The Committee requires the Corporation to encourage national service programs to establish, if consistent with the purposes of the program, an intergeneration component students, out-of-school youths, disadvantaged youth, and older adults as participants. The Committee recognizes the need to engage Americans of all generations in service, and views these Corps as an opportunity to encourage greater interactions between the youth and older communities.

H.R. 1388 requires the Corporation to select at least two Corps as national priorities. One of the Corps created is a Veterans Corps aimed at helping those who have served our country in the military but may now require assistance for themselves or their families. For example, through the Veterans Corps, participating organizations agree to provide assistance to military families when their service member has been sent to fight and upon that service member's return home. Many of these families are also participating in their own form of service through activities to support other military families and other service members. The Committee strongly encourages the Corporation to select the Veterans Corps as one of the national priorities to honor the service veterans have had to our country and to take advantage of the skills they have developed during their military service.

State Commissions

In recognition of the work of the State Commissions on Community and National Service, and the expected larger role to be assumed by State Commissions in coordinating, developing, and executing national service programs throughout their respective states, H.R. 1388 includes an increase in the grant amount allocated to State Commissions.

Formula allocations

The GIVE Act also changes the percentages of funds allocated for AmeriCorps State and National programs to more accurately reflect how funds are currently allocated through appropriations. Indian Tribes and Territories continue to receive 1 percent each; however, for Indian tribes, H.R. 1388 converts the program from a formula distribution to a competitive grant. The current formula allotment is based on population, which has resulted in few tribes applying for their allotment and smaller tribes not applying at all. The new competitive grant allows the Corporation to give larger grants and serve more Indian tribes, including smaller tribes. The Committee expects the Corporation to coordinate the necessary training and technical assistance to aid Indian tribes in competing for and carrying out national service programs to improve their communities.

The bill also merges State Competitive and National Direct funding into one competitive funding stream, allowing the Corporation to improve collaboration between state and national entities. The Committee changes the funding distribution in order to provide States, National Directs and smaller organizations with greater resources to focus on local impacts. The Committee encourages the continued effort of National Directs working with communities and State Commissions to leverage resources, engage more volunteers,

and increase the reach of national service to include more low-income and rural areas across our nation. H.R. 1388 provides 62.7 percent for State Competitive grants and 35.3 percent for the State Formula grants. In addition, H.R. 1388 raises the small state minimum from $500,000 to $600,000.

The Committee encourages State Commissions to conduct a service needs assessment for each State and strategically work to engage underserved areas, including rural and low income areas, in national service. Ideally, the national direct providers would engage each State in which they operate and work to facilitate programs in these underserved areas as well. It will take an organized effort by all stakeholders to further the spirit of service across our nation.

Fixed amount grants

The Committee endorses fixed amount grants for use throughout national service programs. The Education Award Only (EAO) program, a form of fixed amount grants, was first established in FY97 appropriations for the Corporation. In an effort to reach the 250,000 goal set out by the President, there was an interest in the field to engage smaller organizations in national service programs. Many of these organizations do not have the administrative capacity to account for the match that is required under national service laws. Fixed amount grants allow smaller organizations to participate in national service programs by easing the administrative burden and allow for more efficient and cost-effective program operation. In the EAO Program, grantees provide the member costs of the program and the Corporation provides a portion of the administrative costs per participant and funds for the National Service Education Award.

SUBTITLE D: THE NATIONAL SERVICE TRUST

H.R 1388 addresses concern from participants in and providers of national service programs about the National Service Education Award. Under current law, a participant is limited to two terms, regardless of the length of the term or the level of participation (i.e., full time or part-time participation). This limitation has prevented national service part-time participants from earning the entire amount of two National Service Education Awards. Since the Corporation supports programs that have part-time participants, the Committee authorizes that participants have the opportunity to earn the aggregate value of two national service awards for full-time service.

H.R. 1388 also provides for the Trust to administer the Summer of Service Education Award, the Silver Scholarship, the Encore Fellowship Award and the ServeAmerica Award. In recognition of the increasing cost of tuition and the Committee's desire to increase access to higher education for all youth, especially disadvantaged youth and underserved populations, the Committee includes an increase in the National Service Education Award by linking it to the maximum authorized Pell Grant award in order to keep up with rising college costs.

Strengthen AmeriCorps Act

H.R. 1388 integrates the Strengthen AmeriCorps Program Act (P.L. 108–145), which was enacted in response to the mismanagement of the National Service Trust and the ensuing challenges faced by the Corporation. By incorporating the Strengthen AmeriCorps Program Act, H.R. 1388 codifies the manner in which the Corporation approves and records obligations relating to approved national service positions. H.R. 1388 requires the Corporation to record as an obligation an estimate of the net present value of the National Service Educational Award associated with each position. Furthermore, the Corporation must establish a reserve account within the National Service Trust and take necessary steps to ensure the availability of adequate funds to support the awards of approved positions for each fiscal year.

SUBTITLE E: NATIONAL CIVILIAN COMMUNITY CORPS (NCCC)

Program activities and participants

The National Civilian Community Corps (NCCC) is the only national service program operated solely by the Corporation. The NCCC is a residential program with multiple campuses across the United States with a focus on rapid response to emergencies and disasters within the region near the campus. H.R. 1388 adds a new focus on infrastructure improvement, environmental stewardship and conservation, energy conservation, and urban and rural development. The Committee believes that when the corps is not deployed for emergencies or disasters, the NCCC program can play an important role in addressing these national needs.

H.R. 1388 includes a provision that requires NCCC to set a goal of 50 percent participation by disadvantaged youth (as defined in the bill) in the program by 2011. Programs such as the NCCC provide youth with opportunities to learn marketable skills for employment, to further their education, and to gain self-confidence and increased empowerment in a structured, safe environment. The Committee acknowledges that the NCCC programs will need assistance in recruiting disadvantaged youth to participate and encourages the Corporation and State Commissions to work jointly in the recruitment of disadvantaged youth. Furthermore, it is not expected that every campus will be able to recruit a large percentage of disadvantaged youth from neighboring communities and other States. However, given the fact that the NCCC is a residential program, this should not negatively affect the program, but rather expand the diversity of the pool of participants and enrich the service experience for each NCCC member.

NCCC Advisory Board

H.R. 1388 increases the NCCC Advisory Board membership to include those Federal agencies who are stakeholders in projects being implemented by the NCCC participants who are not deployed for disasters and emergencies. In addition, the Committee expects the Advisory Board to coordinate the rapid and efficient response of the NCCC in times of emergencies and disasters in conjunction with other response organizations in order to assist in the coordination of recovery efforts.

SUBTITLE F: ADMINISTRATIVE PROVISIONS

Parental involvement

H.R. 1388 requires that parents be involved in the development and operation of national service programs which serve children. The Committee recognizes that having parents involved is more likely to engage the community as a whole. Furthermore, H.R. 1388 requires parental permission when transporting minors.

State Commissions on national and community service

The GIVE Act clarifies the role of State Commissions. H.R. 1388 requires that the state plan for national service be developed through an open process (including regional forums and hearings), which provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy in meeting critical community needs. The intent is to create an environment where all stakeholders in a state or a region can together determine the service and volunteer needs in a State or region, and collaborate to leverage resources, and knowledge. The State Commissions should utilize this process to gather information from the entire State to formulate a State service plan with implementation steps. Although not required by H.R. 1388, the Committee believes that the forums and hearings can serve as a mechanism for developing the national service plan for the State and can serve as a community service needs assessment tool. The State Commission can use this information to direct funds and organizations (such as National Direct programs) to locations in the State where the need is great and service opportunities are lacking. In addition, H.R. 1388 requires that the State Service Plan include measurable goals and outcomes, in part to help States determine if they are meeting their most pressing needs through service and volunteerism.

H.R. 1388 provides that States develop a comprehensive plan for Baby Boomer and older adult volunteer and paid service. These state plans must include recommendations for public policy initiatives, for example, how to best tap older adults as sources of social capital, and ways to address community needs. In addition, it is expected that the State will utilize working networks or establish networks in the State and across the nation to connect volunteers to opportunities in the State. The Committee expects collaboration between the Corporation and State Commissions to help improve their recruitment plans, including those plans directed at older Americans and members of the Baby Boom generation. Furthermore, the plan must be updated annually to ensure active engagement of the State Commission with regard to changing policies and procedures that will improve the coordination and effectiveness of the Federal, State, and local resources for service and volunteerism in the State. The Corporation may permit waivers to administrative requirements that States find impede the coordination and effectiveness of resources directed towards service and volunteerism.

Evaluation and performance measures

H.R. 1388 reflects the Committee's interest in strengthening accountability for programs receiving federal funds authorized under this bill. H.R. 1388 clarifies that the Corporation will establish per-

formance measures in consultation with the grantees that receive assistance. Consultation with the grantees is critical to the integrity of accountability and accommodates the unique outcomes of grantees funded under this Act. The performance measures may include the number of volunteers recruited from the community in which the program is being implemented and the number of disadvantaged and underrepresented youth participants. To maximize the impact and cost-effectiveness of the program, H.R. 1388 also expects programs to evaluate the effectiveness of the structure and mechanisms for delivery of services, the management of the participants, and the ease with which recipients receive service.

Corrective action plans

H.R. 1388 provides a structure for corrective action for a grantee that fails to reach the performance measures agreed upon by the Corporation and the grantee. H.R. 1388 requires that when a new grantee (for programs which have received assistance for less than three years) fails to reach the agreed upon performance measures, the Corporation must provide technical assistance to the grantee to address the targeted performance problems. In addition, the bill requires quarterly reports on the program's progress towards achieving the agreed upon performance measures to both the Corporation and the appropriate State (or the State Commission), Territory, or Indian tribe. For established programs, the Corporation is not required to provide technical assistance (although it is not prohibited from doing so either).

Inspector General

H.R. 1388 extends a new authority to the Inspector General to carry out oversight of grantees and Corporation programs and operations, similar to that provided to the Comptroller General and the Chief Financial Officer.

Consolidated application

H.R. 1388 requires the Corporation to consolidate or modify the application or reporting requirements for programs under the national service laws. The Committee realizes that this is a critical requirement for the Corporation in this reauthorization. According to the grantees and the Corporation, the lengthy and onerous application process deters entities from applying for grants and consistently challenges those applicants who do apply. The Corporation has also requested the authority to create a consolidated application and the Committee is in full support of such measures. The Committee encourages the Corporation to work with current grantees and those that did not apply to determine the effective sections as well as aspects of the application which need improvement, with the intention of easing the application process for both the grantee and the Corporation. The Committee is of the opinion that such endeavors will ultimately lead to a richer, more diverse applicant pool seeking to meet the needs of our nation's communities through service and volunteerism.

Sustainability

The Committee applauds the work of current national service grantees and therefore wishes to ensure that programs being car-

ried out under the national service laws are sustainable. H.R. 1388 establishes that the Corporation shall, in consultation with grantees and State Commissions, set sustainability goals to be supported by policies and procedures. The sustainability goals shall build the capacity of programs to service the community while working to establish non-Federal funding streams to support the project beyond the life of the grant. H.R. 1388 requires the Corporation to provide technical assistance in finding non-Federal funding sources and to implement measures to ascertain whether a project is generating sufficient community support. The Committee believes that with community support comes non-Federal dollars, thus furthering sustainability. By focusing and reaching sustainability for current national service programs, new grantees and new service projects can emerge in high need areas across our nation. H.R. 1388 furthers this goal by directing the Corporation to take into consideration, in the approval process for applications, the ability of a grantee to generate volunteers, consistent with the mission of the applicant. In addition, H.R. 1388 creates a Community Solutions Fund pilot program that awards competitive matching grants to social venture funds to use the grants to provide competitive matching sub grants to community organizations for use in replicating or expanding proven solutions to specifically identified community challenges.

Limits on the cost of programs

H.R. 1388 sets the limit on the amount of funds approved to support individual participants in an approved national service position to $17,000. The bill includes a waiver of up to $19,500 to meet the compelling needs of a particular program, such as the training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, and the start-up costs associated with a first time grantee, and up to $22,000 for Tribal residential programs. This waiver reflects the Committee's expectation that in trying to reach the goal of 250,000 members of a diverse population of providers and participants, some of whom may require more support and services. Even with this waiver, the Committee expects that all grantees will continue to run cost-effective and sustainable programs. The limits will also be adjusted annually for inflation.

SUBTITLE G: CORPORATION FOR NATIONAL AND COMMUNITY SERVICE BOARD OF DIRECTORS

The Committee recognizes the role of the Board of Directors for the Corporation and augments the role of the Board with respect to the workings of the Corporation. H.R. 1388 authorizes the Board to participate in the review of the budget proposal before it is sent to the Office of Management and Budget and in the performance appraisal of the Chief Executive Officer (CEO). H.R. 1388 sets the term of a Board Member at 5 years, which can be extended one year for voting members when no successor has been appointed. The Board of Directors is a fertile resource for the Corporation and the skills, experience, and expertise of the Board should be fully utilized in the management of the Corporation. The Committee believes that as the grantees are asked to run cost-effective, high quality programs of national service, that the Corporation be held to similar standards and expectations.

Full-time participants

In recognizing the goal of the Corporation to maintain 75,000 AmeriCorps volunteers, which the Corporation has met, the Committee has chosen to set a goal for the Corporation of reaching 250,000 volunteers by 2014. Further, H.R. 1388 requires a report within 18 months of enactment on the status of reaching 50 percent full-time participants. The Committee believes the presence of full-time participants will yield greater benefits in addressing pressing community needs.

Peer review

Peer review is an established, effective method for evaluating the merits of an application for a program or project. H.R. 1388 requires the CEO to obtain the opinions of peer reviewers in evaluating the applications to the Corporation for assistance under this title. The Committee expects that the implementation of peer review in the approval process for applications at the Corporation will further ensure the impartiality in the grant-making process.

Personal service contracts

H.R. 1388 authorizes the Corporation to enter into personal service contracts to carry out research, evaluation, and public awareness activities.

Donations to the corporation

The Committee recognizes that there are various service organizations, academic institutions, and other entities and individuals with the expertise to contribute to the improvement or structure of national service. Currently, the Corporation may accept donations of property or money, and some volunteer service. Under H.R. 1388, the Committee extends this authority to include the volunteer services of an individual or an organization.

The bill gives new authority to the Chief Executive Officer (CEO) to bolster the public awareness of and recruitment efforts for the wide range of service opportunities for citizens of all ages. The CEO has the authority to identify and implement methods of recruitment including strategies to recruit and train bilingual volunteers.

SUBTITLE H: INVESTMENT FOR QUALITY AND INNOVATION

Innovative and Model Program Support

H.R. 1388 creates a new part of Subtitle H titled, "Innovative and Model Program Support," which authorizes grants to encourage the innovative and creative work of the AmeriCorps State and National Programs. The Committee intends to challenge both the Corporation and the applicants to craft the cutting-edge programs that will engage citizens from all walks of life in service activities. Although there are specific programs identified in the bill, the Committee encourages the Corporation to fund innovative, creative, and more challenging programs. To further promote the innovation encouraged by this section, H.R. 1388 includes the option of funding these programs through traditional grants or fixed amount grants. In addition, a fourth year of funding may be authorized based on criteria determined by the Corporation, including whether

the program met its performance measures. This extension will provide unsteady or inexperienced programs additional time to develop into successful, sustainable programs, and to meet other outcomes that the Corporation determines to be appropriate.

The Committee encourages the Corporation to implement fixed amount grants to programs under Subtitle H, if appropriate. Fixed amount grants can ease administrative burdens for grantees while maintaining high quality, innovative programs offered in this part and in the Innovation Service-Learning programs in subtitle B, while encouraging new organizations to implement service programs.

Innovative Model Programs in this part include programs where no less than 75 percent of the participants are disadvantaged youth and whose program type can be any of the programs offered in section 122(a) of this title; programs that incorporate learning and thinking skills determined necessary for success in the 21st century global knowledge economy; programs that engage youth under the age of 17 in service; programs to re-engage court involved youth and adults to reduce recidivism; programs focused on the recruitment of court-involved youth and adults as participants or volunteers; programs to establish and support statewide and national mentoring partnerships, and other innovative and creative programs. H.R. 1388 also encourages collaboration with other programs under the national service laws.

The first phase of the baby boom generation began to go into retirement in 2008 and this massive demographic shift will have far-reaching effects on our society over the next decade. As these retirements go into effect, employers across all sectors will struggle to fill these positions with experienced employees. Additionally, due to the current financial crisis and their own financial circumstances, a majority of boomer households will not be able to sustain their current lifestyle in retirement and many will need to continue to work.

Since baby boomers are the healthiest and most highly educated generation to retire, there is a tremendous opportunity to harness their volunteerism for the greater good and encourage boomers to explore second career paths in the public or nonprofit sector. Through the Silver Scholarship and Encore Fellowship Program, boomers provide important services that our nation needs, but the boomers themselves also receive health and well-being benefits from their involvement in service.

Call to Service and September 11th Day of Service

The bill establishes a Call to Service Campaign and September 11th Day of Service. The Call To Service Campaign encourages our nation's citizens to engage in full or part time national service. As part of the broader Call to Service Campaign, the Corporation may carry out ceremonies and activities in observance of September 11th as a National Day of Service and Remembrance as a meaningful way to pay tribute to the victims of September 11th and recognize the contributions of the countless volunteers and rescue workers. The Corporation may participate in federal activities and make grants to community based organizations to carry out charitable service and remembrance activities at the local level. These activities should enable individuals and organizations to engage in a di-

versity of activities that reflect and promote a renewed spirit of national unity emblematic of that which existed in the aftermath of September 11th.

H.R. 1388 creates a new program, the ServeAmerica Fellowships. The ServeAmerica Fellowships represent the Committee's effort to engage individuals who want to serve their communities without joining a formal corps. H.R. 1388 requires that the Sponsor Organization not be a recipient of any other national service awards and must apply to the State Commission to become eligible to receive a Fellow. The State Commissions are responsible for deeming organizations as eligible for recipients and must maintain a website with all eligible Sponsor Organizations. By limiting sponsor organizations to organizations that do not receive funding under the national service programs, the Committee intends to engage a new set of community based organizations.

National Service clearinghouses

H.R. 1388 merges the service-learning and AmeriCorps clearinghouses into a single part, the National Service Programs Clearinghouse. The Committee does not expect other existing clearinghouses to merge.

SUBTITLE I: TRAINING AND TECHNICAL ASSISTANCE

For transparency and ease of implementation, H.R. 1388 collects sections throughout both National and Community Service Act of 1990 (NCSA), and Domestic Volunteer Service Act of 1973 (DVSA), on training and technical assistance and establishes a single subtitle on training and technical assistance. It is expected that the Corporation will provide training and technical assistance for those programs receiving or applying for assistance under the national service laws. Training and technical assistance is expected (but not limited to) the following areas:

- application assistance
- leadership development
- management and budgetary skills
- providing or improving the training of participants
- risk management procedures
- recruitment, management, and retention of volunteers
- program evaluation and performance measures
- accommodation for participants with disabilities
- establishing networks and collaboration among stakeholders to further leverage community resources

H.R. 1388 gives priority for technical assistance to applicants or existing programs that intend to implement programs in areas where they are needed most, where national service programs currently do not exist, or in underserved rural and urban areas. Priority is also provided for applicants or programs with an intergenerational focus.

SUBTITLE J: POINTS OF LIGHT FOUNDATION

H.R. 1388 repeals the Points of Light Foundation. The Committee determined it was appropriate to remove legislative earmarks from the national service laws. The repeal is consistent with appropriations in both the Senate and the House.

SUBTITLE K: AUTHORIZATION OF APPROPRIATIONS

H.R. 1388 provides $97 million for Subtitle B for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014. The funding for Subtitle B includes $20 million for the Summer of Service program; $20 million for Youth Engagement Zones; and $7 million for Campuses of Service. H.R. 1388 includes such sums as may be necessary for Subtitles C, D, and H and $35 million to carry out Subtitle E. H.R. 1388 reserves up to 2.5 percent to carry out subtitle J and such sums as may be necessary to execute the Corporation's administration of the national service laws.

TITLE II: THE DOMESTIC VOLUNTEER SERVICE ACT (DVSA)

Subtitle A: the Volunteers in Service to America (VISTA)

The Domestic Volunteer Service Act has a central purpose of establishing and supporting anti-poverty programs for our nation. DVSA authorizes the Volunteers in Service to America (VISTA) program, the equivalent to the Peace Corps in America, whose focus is to help the poor, the disadvantaged, the vulnerable, and the elderly in America. The VISTA participant is expected to live in the same conditions as those they serve and to remain available to the community on a 24 hour basis, as are Peace Corps volunteers. The VISTA participant's role is to build the capacity in the community for improvement and service, and leverage resources so that when the VISTA participant leaves the community, the infrastructure, knowledge, and continued service remains in the community. The VISTA participant may receive a National Service Education Award, or he or she may opt for a $1220 stipend.

New VISTA program assignments

H.R. 1388 increases the number of program assignment opportunities for a VISTA participant. For example, under the bill a VISTA participant is eligible for assignments to assist a community or program in the re-entry or re-integration of formerly incarcerated youth and adults into society; to develop and implement financial literacy and budgetary programs; to initiate and support before and after-school programs serving children in low-income communities; to establish and support community economic development initiatives; to assist veterans and their families with legal assistance, health care, employment counseling or training, education counseling or training, and other support services; and to address generally the health and wellness of a community. Each of these assignments addresses unmet needs in low-income communities and fall within the intent of the VISTA program to create the capacity of a community to battle poverty and empower its citizens for change in the United States.

Recruitment priorities

H.R. 1388 allows court-involved youth and adults, including previously incarcerated individuals, to serve as VISTA participants. The GIVE Act contains age guidelines for each program, but does not prohibit any citizen from engaging in national service. The Committee agrees that national service can be an effective vehicle for reducing recidivism, and that court- involved individuals should be actively recruited for participation in the program.

H.R. 1388 gives priority to the recruitment of retired adults, particularly those who had careers as health care professionals, engineers, managers or technicians. This priority reflects the Committee's intent to harness the vast knowledge, experience, and expertise of retirees. The Committee recognizes the substantial contributions of the VISTA program to our nation's communities and seeks to include the Baby Boom generation as they retire.

Public or non-profit VISTA support

The Committee recognizes that some organizations or companies are unable to sponsor a VISTA participant within their institution, but may seek ways to support the work of a VISTA participant financially. Accordingly, H.R. 1388 authorizes public or nonprofit organizations to pay all or a portion of the costs of the support services for VISTA participants.

VISTA PROGRAMS OF NATIONAL SIGNIFICANCE

H.R. 1388 includes "programs of national significance" (PNS), similar to those found in the National Senior Service Corps, in VISTA. PNS are implemented when the amounts appropriated for VISTA exceed the amount sufficient to maintain the number of projects and volunteers funded in the preceding fiscal year. Of the funds that exceed the costs of the previous fiscal year, one third is allocated for the support of VISTA programs of national significance, which are reflected in the new programs listed previously. The PNS VISTA participants cannot supplant other VISTA participants.

VISTA Stipend

The Committees supports the commitment of the VISTA participants to live among and at the economic level of those receiving services, but also recognizes that the low stipend inhibits some participation in the VISTA program. Therefore, H.R. 1388 raises the stipend of a VISTA participant to a minimum of $125/month, and a maximum of $150/month (if sufficient funds are appropriated).

SUBTITLE B: THE NATIONAL SENIOR SERVICE CORPS (NSSC)

The National Senior Service Corps programs have engaged seniors in meeting the needs of their communities for over four decades. The NSSC is composed of three programs: the Retired Senior Volunteer Program (RSVP), the Foster Grandparents Program (FG), and the Senior Companions Program (SC). H.R. 1388 sets the minimum age for participation in all programs in the National Senior Service Corps at 55 years. The Committee recognizes that even at such a young age, our older Americans wish to be of service to our nation.

Since 1965, the FG participants have provided support and service to children and youth with exceptional needs in a variety of settings, including schools, hospitals, drug treatment centers, correctional institutions, and Head Start and child care centers. FG participants serve from 15–20 hours per week providing one-on-one service to children and youth. In addition, FG participants who meet the low-income eligibility requirements may receive a stipend of $2.65 per hour for their service.

Since 1971, the RSVP program has provided a wide variety of opportunities for older Americans to meet the needs identified in their communities. RSVP offers the most flexibility among the NSSC programs. Volunteers choose where, when, and how often they will serve. Depending on the program, RSVP participants may choose time commitments from a few hours a week up to forty hours per week.

Since 1974, SC participants offer aging, frail, or homebound individuals with daily living tasks, enabling the recipients to age with dignity and independence. SC participants also provide companionship and may assist a social service case manager. SC participants serve 15 to 40 hours per week and may receive a stipend of $2.65 per hour for their service if they meet the low income eligibility requirements.

Retired Senior Volunteer Program

For the Retired Senior Volunteer Programs, H.R. 1388 includes a requirement that programs be designed and implemented with the advice of experts in the field of service being offered, as well as with those who have expertise in the recruitment and management of volunteers. To be competitive in the global economy, the Committee recognizes that this nation needs a healthy, scientifically and technologically literate society. Accordingly, H.R. 1388 aims to tap into the talents of the retiring members of the Sputnik generation. Priority in grant evaluation is given to projects that utilize retired STEM professionals, retired health care professionals, retired military and emergency professionals, and retired computer science professionals to serve our nation through the multiple opportunities in RSVP and through the national service laws.

RECOMPETITION

H.R. 1388 phases in competition into the RSVP program over a five year period and requires the Corporation to consult and coordinate with RSVP on the development and implementation of the competitive process. Current grantees remain eligible to compete for program funds. If a grant is awarded, the project may be renewed for an additional three year grant period. After the second grant period the grant must be re-competed. Any grant re-competition within RSVP must continue to support the same number of volunteer years and similar program distribution. In addition, it is the Committee's intent that the re-competition program minimizes any disruption to volunteers. The Committee recognizes the exceptional work of RSVP grantees, but notes that there are few opportunities to motivate program improvement, remove poorly performing grantees, or to encourage and invigorate innovation and evolution among high performing programs. Competition, in concert with the new performance measures and evaluations, is expected to improve or terminate underperforming programs. For highly effective and highly performing programs, competition is expected to drive the innovation and creativity of programs to new levels.

Foster Grandparents and Senior Companions

H.R. 1388 modifies the eligibility requirement for the Foster Grandparents and Senior Companion programs by raising the income level for participants to be eligible for an hourly stipend from 125 percent of poverty to 200 percent of poverty. The GIVE Act also sets the minimum for such stipend at $2.65/hour. According to Foster Grandparent and Senior Companion service providers, it can be challenging for a program to recruit enough low-income volunteers to fill the number of available volunteer positions. H.R. 1388 allows up to 15 percent of volunteers to have incomes above the income eligibility threshold; as long as the program can demonstrate that it was unable to recruit enough low-income volunteers. Participants allowed under this provision are not eligible for a stipend. Programs shall not engage non-low-income volunteers when there are still low-income individuals to be recruited.

National Senior Service Corps Programs of National Significance

H.R 1388 changes the programs of national significance (PNS). Under current law, each National Senior Corps program may only apply for particular programs of national significance. H.R. 1388 permits RSVP, FG, and SC to apply for any of the programs of national significance. This change will further the innovation and creative application of outcomes to program models. Furthermore, the Committee requires that the Director of the Corporation ensure that at least 25 percent of the PNS applications are from new program sponsors (that is, an organization not currently receiving assistance from the Corporation), in order to open the applicant pool and encourage National Senior Service Programs in new locations. Included in the PNS are programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth or youth re-entering society after incarceration. These programs may include mentoring, counseling, and employment counseling. This opportunity in particular is aimed at serving the youth in our communities who are most at-risk for entering into gangs or other lifestyles resulting in destroyed lives and an economic drain on society. Research shows that prevention saves the nation money in the long term, and that investing in youth early is a wise investment in our nation's future.

Demonstration Programs

H.R. 1388 establishes a demonstration program that supports older Americans while enhancing the capacity of community members to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, time-banking, and other similar programs. The program is based on an exchange of services, under which both parties are compensated with reciprocal amounts of volunteer service, and no money changes hands. Such services are a promising and mutually beneficial system that lends legitimacy and compensation to the everyday work that goes financially unpaid. The Committee recognizes that many Americans provide unpaid services to friends and neighbors and that this generosity produces lasting relationships which strengthens communities. To encourage the development of such a system of service reciprocity in communities, H.R. 1388 includes the demonstration program.

CONCLUSION

The Committee believes that national service can help our nation meet local and national challenges, and the GIVE Act is the start of a new direction for national service. The Corporation for National and Community Service, providers, and participants together play a central role in meeting our nation's unmet critical needs. The reauthorization of the National Community Service Act and the Domestic Volunteer Service Act are a priority for the Committee and reflect its intent to renew the spirit of service in our nation in a manner that engages new volunteers and inspires innovation in service.

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V. SECTION-BY-SECTION ANALYSIS

Title I—Amendments to National and Community Service Act of 1990

SUBTITLE A—AMENDMENTS TO SUBTITLE A (GENERAL PROVISIONS)

Section 1101. Purposes; Sense of Congress

Amends section 2(b) of the National and Community Service Act (42 U.S.C. 12501 (b)). Sets forth the purpose of the bill and includes a Sense of Congress that the number of participants in the programs authorized under Subtitle C, including the Volunteers in Service to America (VISTA) and the National Civilian Community Corps (NCCC), should grow to reach 250,000 participants by 2014.

Section 1102. Definitions

Amends section 101 of the National and Community Service Act (42 U.S.C. 12511). Modifies and adds to the definitions under this section, including definitions for "approved summer of service positions", the "baby boom generation", "disadvantaged youth", "community-based organizations", "Hispanic-Serving Institutions", "Historically Black Colleges or Universities", "Predominantly Black Institutions" and "Tribally Controlled Colleges or Universities".

SUBTITLE B—AMENDMENTS TO SUBTITLE B (SERVICE-LEARNING)

Section 1201. School-based allotments

Amends Part I of subtitle B of title I (42 U.S.C. 12521 et seq.). Authorizes allotments to States, Territories, and Indian Tribes to implement service learning programs based principally in elementary and secondary schools, including providing training for teachers, developing service learning curricula, and forming local partnerships. Reserves not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Authorizes the remainder of funds appropriated to carry out this part to States based on the percentage of school-age youth and allocations under the Elementary and Secondary Education Act of 1965. Includes a minimum state allocation of $65,000 when appropriations for the Learn and Serve program are above $50 million. Establishes graduated match requirements for school based service learning grants to ease the burden on new grantees. Clarifies the federal share of the cost of carrying out programs under this part cannot exceed 50 percent of the total cost of the program for continuing grants. Eliminates the cap on capacity building activities. This section also requires that no more than 6 percent of the amount of assistance received by an applicant be used for administrative costs. Further, this section includes language that encourages consultation between Learn and Serve America and the Department of Education and encourages service-learning partnerships that promote greater civic engagement among elementary and secondary students.

Section 1202. Higher education provisions and campuses of service

Amends Section 119 of the National and Community Service Act (42 U.S.C. 12561). Expands the authority of higher-education service-learning programs. Includes language on higher-education service-learning programs as a key component of the health professional's curricula, the criminal justice professional's curricula and the public policy and public administration curricula. Clarifies the federal share of the cost of carrying out programs under this part cannot exceed 50 percent of the total cost of the program. Provides special consideration to applications submitted by historically Black Colleges and Universities, Hispanic Serving Institutions and Tribal Colleges and Universities. Requires institutions of higher education to comply with the federal work study requirements in the Higher Education Act in order to be eligible for funds. Creates a new Campuses of Service program to recognize institutions of higher education with outstanding service-learning programs.

Section 1203. Innovative programs and research

Amends Subtitle B of Title I (42 U.S.C. 12521 et seq.). Authorizes new service-learning programs focused on innovation including energy-conservation, emergency and disaster preparedness and science, technology, engineering, and mathematics (STEM) curricula and research on service-learning in middle schools. Allows the Corporation to award fixed amount grants based on a three year term. Establishes the Summer of Service and Youth Engagement Zone programs.

SUBTITLE C—AMENDMENTS TO SUBTITLE C (NATIONAL SERVICE TRUST PROGRAM)

Section 1301. Prohibition on grants to Federal agencies; limits on corporation costs.

Amends Section 121 of the National Community Service Act (42 U.S.C. 12571). Eliminates grants to federal agencies. Increases the cap on administrative expenses from five to six percent. Also, creates one match requirement for member support and operating expenses, requiring grantees to match twenty-four percent of federal funds for the first three years and gradually increases the match requirement to fifty percent in year ten. This section also includes an alternative match schedule for programs in rural or severely economically distressed communities.

Section 1302. Required and eligible national service programs

Amends Section 122 of the National Community Service Act (42 U.S.C. 12572). This Section includes new service areas to address the digital divide, public safety, health, emergency preparedness, and re-engage court-involved youth and adults with the goal of reducing recidivism. It authorizes a new E-Corps program focused on increasing access to technology and reserves up to 3 percent for competitive grants to eligible recipients for the development of innovative initiatives to address the unique needs of veterans. This section also requires the Corporation to establish requirements for service participants related to the promotion of citizenship and civic engagement, consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based. Further, this section amends the requirements for tutoring programs and clarifies the tutoring requirements for AmeriCorps members.

Section 1303. Types of positions

Amends Section 123 of the National and Community Service Act (42 U.S.C. 12573). Allows the Corporation to approve a program carried out by a Territory and the National Civilian Community Corps as an approved national service position that includes the education award.

Section 1304. Conforming repeal related to training and technical assistance

Repeals section 125 of the National and Community Service Act (42 U.S.C. 12575).

Section 1305. Assistance to State Commissions; challenge grants

Amends section 126 of the National and Community Service Act (42 U.S.C. 12576). Increases support for State Commissions, allowing the Corporation to make a grant in an amount between $250,000 and $1,000,000 to establish or operate a State Commission. Requires States to provide matching funds for amounts greater than $100,000 and $200,000.

Section 1306. Allocation of assistance to States and other eligible entities

Amends Section 129 of the National and Community Service Act (42 U.S.C. 12581). Designates the purposes and percentages for funding to States. Directs one percent allotment for Territories and reserves at least one percent for grants to Indian Tribes. Consolidates the set-aside provided to States and National Directs into one funding stream, reserving up to 62.7 percent for competitive grants. Also, designates 35.3 percent of funds to States on a formula basis. Allows the Corporation to re-allot funds to other States or Territories to the extent community-based organizations fail to apply. Further, this section adds language requiring the minimum grant made available to each State be at least $600,000 and includes authority allowing the Corporation to provide assistance in the form of fixed-amount grants to support full-time positions for the first year beginning on the date of enactment and as determined by the Corporation for the remainder of the authorization.

Section 1307. Additional authority

Amends Part II of Subtitle C after Section 129 of the National Community Service Act (42 U.S.C. 12581) by adding new language authorizing Education Award Only fixed amount grants of no more than $600 per member and up to $800 per member for programs serving at least fifty-percent disadvantaged youth.

Section 1308. State selection of programs

Amends Section 130 of the National and Community Service Act (42 U.S.C. 12582) to clarify the application requirements for approved national service positions.

Section 1309. National service program assistance requirements

Amends Section 131(c) of the National Community Service Act (42 U.S.C. 12583(c)) adding new language clarifying the involvement of municipalities and county governments in the areas being served and clarifies the requirements of nonprofit organizations seeking to operate a national service program in 2 or more States.

Section 1310. Consideration of applications

Amends Section 133 of the National and Community Service Act (42 U.S.C. 12585) to clarify the application criteria the Corporation shall use when considering applications.

Section 1311. Description of participants

Amends Section 137 of the National and Community Service Act (42 U.S.C. 12591) to clarify the eligibility requirements for participants.

Section 1312. Selection of national service participants

Amends Section 138 of the National and Community Service Act (42 U.S.C. 12592). Adds new language requiring the Corporation to place special emphasis on disadvantaged youth when selecting individuals to receive leadership training under this subsection.

Section 1313. Terms of Service

Amends Section 139 of the National and Community Service Act (42 U.S.C. 12593). Clarifies the requirements for full and part-time service in an approved national service position. Adds language to extend a term of service for 90 days if directly related to disaster relief activities.

Section 1314. Adjustments to living allowance

Amends Section 140 of the National and Community Service Act (42 U.S.C. 12594). Clarifies the terms of the living allowance for Federal work study students and extends the term requirements for an individual performing service directly related to disaster relief for 90 days beyond the original term of service. Includes other technical modifications.

SUBTITLE D—AMENDMENTS TO SUBTITLE D (NATIONAL SERVICE TRUST AND PROVISION OF NATIONAL SERVICE EDUCATIONAL AWARDS)

Section 1401. Availability of funds in the National Service Trust

Amends Section 145 of the National and Community Service Act (42 U.S.C. 12601). Includes language for payments of national service educational awards including summer of service educational awards and payments of interest.

Section 1402. Individuals eligible to receive a national service educational award from the Trust

Amends Section 146 of the National and Community Service Act (42 U.S.C. 12602). Clarifies the eligibility requirements for an educational award and the terms of service. Allows an individual to receive an educational award for an amount equal to two terms of full-term service.

Section 1403. Determination of the amount of national service educational awards

Amends Section 147(a) of the National and Community Service Act (42 U.S.C. 12603(a)). Links the value of the Education Award to the maximum amount of a Federal Pell Grant that a student eligible under section 401(b)(2)(A) of the Higher Education Act of 1965 may receive.

Section 1404. Disbursement of educational awards

Amends Section 148 of the National and Community Service Act (42 U.S.C. 12604). Adds language on the use of the educational award to pay the cost of attendance or other educational expenses including college preparatory programs for Summer of Service participants.

Section 1405. Process of approval of national service positions

Amends Subtitle D of Title I (42 U.S.C. 12601 et seq). Adds language describing the timing and recording requirements for approving national service positions and recording obligations for the education award into the National Service Trust.

SUBTITLE E—AMENDMENTS TO SUBTITLE E (NATIONAL CIVILIAN COMMUNITY CORPS)

Section 1501. Purpose

Amends Section 151 of the National and Community Service Act (42 U.S.C. 12611). Sets forth the purpose of this Subtitle.

Section 1502. Program components

Amends Section 152 of the National and Community Service Act (42 U.S.C. 12612). Establishes the National Civilian Community Corps program, striking all references to it as a demonstration program.

Section 1503. Eligible participants

Amends Section 153 of the National and Community Service Act (42 U.S.C. 12613). Adds language requiring the Director to ensure that at least fifty percent of the participants in the program are disadvantaged youth. Also, includes technical modifications to this subsection.

Section 1504. Summer national service program

Amends Section 154 of the National and Community Service Act (42 U.S.C. 12614). Adds language requiring participants in the summer program be from economically and ethnically diverse backgrounds, including youth who are in foster care.

Section 1505. Team leaders

Amends Section 155 of the National and Community Service Act (42 U.S.C. 12615). Adds language clarifying the selection process for Team Leaders and Campus Directors. Also clarifies the eligibility requirements for campuses.

Section 1506. Training

Amends Section 156 of the National and Community Service Act (42 U.S.C. 12616). Adds language on the type of training provided to members with a new emphasis on disaster preparedness and response. Allows the Corporation to provide training through grants, contracts or cooperative agreements with organizations who have established expertise in working with disadvantaged youth.

Section 1507. Consultation with State Commissions

Amends Section 157 of the National and Community Service Act (42 U.S.C. 12617). Adds language directing consultation with State Commissions with an emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment and energy conservation.

Section 1508. Authorized benefits for Corps members

Amends Section 158 of the National and Community Service Act (42 U.S.C. 12618). Modifies the authorized benefits for Corps members.

Section 1509. Permanent Cadre

Amends Section 159 of the National and Community Service Act (42 U.S.C. 12619). Clarifies the establishment of a permanent

cadre of supervisors and training instructors. Adds language requiring that the permanent cadre receive training in youth development techniques including working with disadvantaged youth.

Section 1510. Contract and grant authority

Amends Section 161 of the National and Community Service Act (42 U.S.C. 12621). Includes technical modifications to this section.

Section 1511. Other departments

Amends Section 162 of the National and Community Service Act (42 U.S.C. 12622). Includes technical modifications to this section. Also, modifies the language pertaining to the list of recommended personnel from which individuals may be selected for appointment to the permanent cadre by the Director.

Section 1512. Advisory Board

Amends Section 163 of the National and Community Service Act (42 U.S.C. 12623). Adds language on activities of the Advisory Board. Adds the Administrator of the Federal Emergency Management Agency, the Secretary of Transportation, the Chief of the United States Forest Service and the Secretary of Energy as Advisory Board members.

Section 1513. Evaluation

Amends Section 164 of the National and Community Service Act (42 U.S.C. 12624). Requires an annual evaluation be submitted to the Health, Education, Labor, and Pensions Committee of the Senate and the Committee on Education and Labor of the House of Representatives.

Section 1514. Repeal of funding limitation

Repeals Section 165 of the National and Community Service Act (42 U.S.C. 12625).

Section 1515. Definitions

Amends Section 166 of the National and Community Service Act (42 U.S.C. 12626). Modifies and adds to the definitions under this Subtitle, including definitions of "campus director", "corps", and "corps campus".

Section 1516. Terminology

Amends Subtitle E of Title I (42 U.S.C. 12611). Modifies the heading as the "National Civilian Community Corps".

SUBTITLE F—AMENDMENTS TO SUBTITLE F (ADMINISTRATIVE PROVISIONS)

Section 1601. Family and medical leave

Amends Section 171(a) of the National and Community Service Act (42 U.S.C. 12631(a)(1)). Includes a technical modification to this section regarding projects authorized under the national service laws.

Section 1602. Additional prohibitions on use of funds

Amends Section 174 of the National and Community Service Act (42 U.S.C. 12634). Adds language prohibiting the use of funds for programs that refer individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.

Section 1603. Notice, hearing, and grievance procedures

Amends Section 176 of the National and Community Service Act (42 U.S.C. 12636). Clarifies the terms and conditions of this title for notice, hearing and grievance procedures.

Section 1604. Resolution of displacement complaints

Amends Section 177 of the National and Community Service Act (42 U.S.C. 12637). Adds language requiring programs to obtain permission from parents when transporting minor children.

Section 1605. State Commissions on National and Community Service

Amends Section 178 of the National and Community Service Act (42 U.S.C. 12638). Adds language describing the terms and requirements for developing a State Commission plan, including the criteria for goals and outcomes. Also, requires States to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

Section 1606. Evaluation and accountability

Amends Section 179 of the National and Community Service Act (42 U.S.C. 12639). Modifies and adds language on program evaluations, including the evaluation of performance measures and effectiveness of delivery of services. Outlines the requirements for implementing corrective action plans.

Section 1607. Technical amendment

Amends Section 181 of the National and Community Service Act (42 U.S.C. 12641). Includes a technical modification to this section.

Section 1608. Partnerships with schools

Amends Section 182(b) of the National and Community Service Act (42 U.S.C. 12642(b)). Requires an annual report be submitted concerning the implementation of this section, including an evaluation of the programs performance goals and benchmarks.

Section 1609. Rights of access, examination, and copying

Amends Section 183 of the National and Community Service Act (42 U.S.C. 12643). Allows the Inspector General of the Corporation to have access to and the right to examine and copy recorded information as consistent with otherwise applicable law.

Section 1610. Additional administrative provisions

Amends Subtitle F of Title I (42 U.S.C. 12631 et seq.) by including additional administrative requirements that encourage the sustainability of projects with appropriate community buy-in and support, as well as increasing the number of volunteers. Additionally, this section limits the time and amount of grants, ensures compli-

ance with applicable audit and reporting requirements, and requires background checks for volunteers.

SUBTITLE G—AMENDMENTS TO SUBTITLE G (CORPORATION FOR NATIONAL AND COMMUNITY SERVICE)

Section 1701. Terms of office

Amends Section 192 of the National and Community Service Act (42 U.S.C. 12651a). Outlines the terms of service for board members, including allowing board members to serve for one additional year while the Senate confirms a successor.

Section 1702. Board of Directors authorities and duties

Amends Section 192A(g) of the National and Community Service Act (42 U.S.C. 12651b(g)). Modifies board activities and defines the board's relationship to the Corporation's management. Requires the board to review the budget proposal in advance of submission to the Office of Management and Budget and to review the performance of the Chief Executive Officer annually.

Section 1703. Chief executive officer compensation

Amends Section 193A of the National and Community Service Act (42 U.S.C. 12651d). Increases the compensation of the CEO by 3 percent.

Section 1704. Authorities and duties of the Chief Executive Officer

Amends Section 195 of the National and Community Service Act (42 U.S.C. 12651f). This section augments the CEO's duties to include annual reports on actions taken to achieve the goal of reaching 50 percent full-time national service positions and requires the CEO to obtain the opinions of peer reviewers in evaluating applications to the Corporation.

Section 1705. Delegation to states

Amends Section 196(a) of the National and Community Service Act (42 U.S.C. 12651g(a)). Allows the CEO to delegate programmatic authority to states in order to increase efficiency or oversight.

Section 1706. Chief Financial Officer compensation

Amends Section 194(c) of the National and Community Service Act (42 U.S.C. 12651e(c)(2)). Amends the position of Chief Financial Officer to competitive service rather than political appointment.

Section 1707. Nonvoting members; personal services contracts

Amends Section 195 of the National and Community Service Act (42 U.S.C. 12651f). Includes technical modifications to this section and adds language allowing the Corporation to enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.

Section 1708. Donated services

Amends Section 196(a) of the National and Community Service Act (42 U.S.C. 12651g(a)). This section includes language allowing

the Corporation to accept the donation of services from individuals or organizations.

Section 1709. Study to examine and increase service programs for displaced workers

Amends Subtitle G of Title I. Requires the Corporation to conduct a study to examine service programs for displaced workers and identify how existing programs and activities carried out under the national service laws could better serve displaced workers. Also requires the Corporation to develop a pilot program based on the findings of the study. Authorizes such sums as may be necessary to carry out this subsection.

Section 1710. Study to evaluate the effectiveness of a centralized electronic citizenship verification system

Amends Subtitle G of Title I. Requires the Corporations to conduct a study to determine the effectiveness of a centralized electronic citizenship verification system which would allow the Corporation to share employment eligibility information with the Department of Education in order to reduce administrative burdens and lower costs. Also requires the Corporation to develop a pilot program based on the findings of the study. Authorizes such sums as may be necessary to carry out this subsection.

SUBTITLE H—AMENDMENTS TO SUBTITLE H

Section 1801. Technical amendments to subtitle H

Redesignates several subsections to Subtitle H. Establishes Call to Service Campaign and September 11th Day of Service.

Section 1802. Repeals

Repeals the Clearinghouse (section 198A), Military Installation Conversion Demonstration Programs (section 198C), and Special Demonstration Project (section 198D).

Section 1803. New Fellowships

Restructures innovation and demonstration programs across the National and Community Service Act. Allows the Corporation to award fixed amount grants to carry out programs that re-engage court-involved youth and adults with the goal of reducing recidivism and recruits them as participants, volunteers, or members; programs focused on disadvantaged youth; learning and thinking skills; health and wellness, and programs that engage youth under the age of seventeen. Requires independent evaluations of such programs.

Section 1804. Innovative and model program support

Allows the Corporation to award grants to carry out programs focused on disadvantaged youth; programs that re-engage court-involved youth and adults with the goal of reducing recidivism; programs that support mentoring, and any other innovative and model programs the Corporation considers appropriate.

Section 1805. Clearinghouse

Modifies and adds to the functions of the Clearinghouse. Adds language to ensure collaboration with the National Office of Outreach and Recruitment on the establishment of an alumni network for former participants.

SUBTITLE I—TRAINING AND TECHNICAL ASSISTANCE

Section 1821. Training and Technical Assistance

Amends Section 199N of the National and Community Service Act. Creates a new Training and Technical Assistance Subtitle outlining the types of activities and assistance available to programs under the national service laws. Reserves up to one percent from amounts appropriated for a fiscal year to carry out this Subtitle.

SUBTITLE J—REPEAL OF TITLE III (POINTS OF LIGHT FOUNDATION)

Section 1831. Repeal

Repeals Title III (42 U.S.C. 12661 et seq.) of the National and Community Service Act.

SUBTITLE K—AMENDMENTS TO TITLE V (AUTHORIZATION OF APPROPRIATIONS)

Section 1841. Authorization of appropriations

Amends Section 501 of the National and Community Service Act (42 U.S.C 12681). Authorizes $97 million for Learn and Serve America, including $10 million for summer of service grants and $10 million for Summer of Service Education Awards, $20 million for Youth Engagement Zones, $7 million for Campuses of Service, and such sums as may be necessary for fiscal years 2011 through 2014. Authorizes such sums as may be necessary for Subtitles C, D, H. Authorizes $35 million for Subtitle E (National Civilian Community Corps) and such sums as may be necessary for FY 2011 through 2014. Authorizes such sums as may be necessary for Program Administration and reserves 2.5 percent of the amounts appropriated under Subtitles B, C, and H of Title I to carry out Training and Technical Assistance under Subtitle I.

Title II—Amendments to the Domestic Volunteer Service Act of 1973

Section 2001. References

This section references amendments and repeals under the Domestic Volunteer Service Act of 1973.

SUBTITLE A—AMENDMENTS TO TITLE I (NATIONAL VOLUNTEER ANTI-POVERTY PROGRAMS)

Section 2101. Purpose

Amends Section 2 of the Domestic Volunteer Service Act (42 U.S.C. 4950). Adds language on long-term sustainability of projects and focuses on engaging civic, community, and educational organizations.

Section 2102. Purpose of VISTA program

Amends Section 101 of the Domestic Volunteer Service Act (42 U.S.C. 4951). Adds language to support the efforts of local agencies and organizations in achieving the long-term sustainability of projects under this part. Expands the authority of the AmeriCorps VISTA program to meet the pressing needs of low-income communities through innovation.

Section 2103. Applications

Amends Section 103 of the Domestic Volunteer Service Act (42 U.S.C. 4953). Adds language to expand the assignment of volunteers in projects and programs that focus on financial literacy, after-school programs, prisoner re-entry, veterans, childhood obesity and micro-enterprises. Places priority on the recruitment of disadvantaged youth, low-income adults and retired professionals.

Section 2104. VISTA programs of national significance

Amends Part A of Title I of the Domestic Volunteer Service Act (42 U.S.C. 4953). Expands programs of national significance to address program that concern low-income and rural communities. Requires that one-third of VISTA funds be used for grants to support programs of national significance if appropriations exceed the authorized level.

Section 2105. Terms and periods of service

Amends Section 104 (d) of the Domestic Volunteer Service Act (42 U.S.C. 4954 (d). Clarifies the terms and conditions of a VISTA members service, adverse action or termination proposed by the sponsoring organization.

Section 2106. Support Service

Amends Section 105(a)(1)(B) of the Domestic Volunteer Service Act (42 U.S.C. 4955(a)(1)(B)). Sets the minimum stipend for a VISTA volunteer at $125 per month and a maximum of $150 per month, subject to the availability of funds. Provides the Director with the discretion to provide a stipend of $250 per month in special circumstances.

Section 2107. Sections repealed

This section repeals VISTA Literacy Corps (42 U.S.C. 4949), VISTA Challenge Grants (42 U.S.C. 4995), and University Year for VISTA (42 U.S.C. 4971).

Section 2108. Conforming amendment

Includes a technical modification to Section 121 of the Domestic Volunteer Service Act (42 U.S.C. 4991).

Section 2109. Financial assistance

Includes a technical modification to Section 123 of the Domestic Volunteer Service Act (42 U.S.C. 4993).

SUBTITLE B—AMENDMENTS TO TITLE II (NATIONAL SENIOR VOLUNTEER CORPS)

Section 2201. Change in name

Amends Title II of the Domestic Volunteer Service Act (42 U.S.C. 5000 et seq.). Changes the name of this title to the "National Senior Service Corps."

Section 2202. Purpose

Amends Section 200 of the Domestic Volunteer Service Act (42 U.S.C. 5000) to establish new priorities for the National Senior Service Corps.

Section 2203. Grants and contracts for volunteer service projects

Amends Section 201 of the Domestic Volunteer Service Act (42 U.S.C. 5001). Establishes new program priorities in the Retired and Senior Volunteer Program. Adds language on competition and provides priority consideration for existing grantees in good standing. Expands technical assistance to assist RSVP grantees and the Corporation in implementing competition.

Section 2204. Foster Grandparent Program grants

Amends Section 211 of the Domestic Volunteer Service Act (42 U.S.C. 5011). Lowers the minimum age from sixty to fifty-five years old. Extends the relationship between a foster grandparent and his/her assigned child to continue after the child reaches the age of 21. Includes language that increases the stipend from $2.65 to $3.65 over five years. This section also defines low-income as 200 percent of poverty for participants receiving a stipend in the Foster Grandparents program. It also includes language to allow the Director to provide a 10 percent stipend increase to volunteer leaders who assume more responsibility.

Section 2205. Senior Companion Program grants

Amends Section 213 of the Domestic Volunteer Service Act (42 U.S.C. 5013). Lowers the minimum age from sixty to fifty-five years old. Allows Senior Companions to receive a stipend consistent with the amount authorized under the Foster Grandparents program.

Section 2206. Promotion of National Senior Service Corps

Amends Section 221 of the Domestic Volunteer Service Act (42 USC 5021). Encourages greater participation of volunteers of all ages and backgrounds living in rural, suburban, and urban localities.

Section 2207. Technical amendments

Amends Section 223 of the Domestic Volunteer Service Act (42 USC 5023). Includes language to lower the age of participation from sixty years to fifty-five years of age. Additionally, this section amends the eligibility requirements to include minority and underserved populations.

Section 2208. Programs of national significance

Amends Section 225 of the Domestic Volunteer Service Act (42 U.S.C. 5025). Adds language that promotes the establishment of programs that support mentoring programs for disadvantaged youth, teach parenting skills, assist parents in obtaining childcare, assists teenage parents with locating employment training or placements, as well as after-school programs that serve children in low-income communities.

Section 2209. Additional provisions

Amends Part D of Title II of the Domestic Volunteer Service Act (42 U.S.C. 5000 et seq.) This section includes language to assist the Retired Senior Volunteer Program, Foster Grandparent programs, and Senior Companion programs to ensure continuity of service for communities. Adds language to allow a program receiving assistance under this Title to accept donations, including donations in cash or in kind. Prohibits programs from accepting donations from beneficiaries of the program.

Section 2210. Authority of Director

Amends Section 231 of the Domestic Volunteer Service Act (42 U.S.C. 5028). Authorizes the Director to place priority on programs with established experience in engaging the entire community in service exchange; programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans; programs seeking to establish in an area where the needs of older Americans are left unmet, and programs that integrate participants or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired Volunteer Service Program, Foster Grandparents program, and the Senior Companion program, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).

SUBTITLE C—AMENDMENTS TO TITLE IV (ADMINISTRATION AND COORDINATION)

Section 2301. Nondisplacement

Amends Section 404 (a) of the Domestic Volunteer Service Act (40 U.S.C. 5044 (a)) to ensure volunteers are not displaced.

Section 2302. Notice and hearing procedures

Amends Section 412 (a) of the Domestic Volunteer Service Act (40 U.S.C. 5052 (a)).

Eliminates the requirement for an informal hearing and reduces the denial of refunding notice period from seventy-five days to sixty days.

Section 2303. Definitions

Amends Section 421 of the Domestic Volunteer Service Act (42 U.S.C. 5061). Modifies and adds to the definitions under this section, including the Commonwealth of the Northern Mariana Islands.

Section 2304. Protection against improper use.

Includes a technical modification to Section 425 of the Domestic Volunteer Service Act (42 U.S.C. 5065).

SUBTITLE D—AMENDMENTS TO TITLE V (AUTHORIZATION OF APPROPRIATIONS)

Section 2401. Authorization of appropriations for VISTA and other purposes

Amends Section 501 of the Domestic Volunteer Service Act (42 U.S.C. 5081). Authorizes $100 million for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014.

Section 2402. Authorization of appropriations for National Senior Service Corps

Amends Section 502 of the Domestic Volunteer Service Act (42 U.S.C. 5082). Authorizes $70,000,000 to the Retired and Senior Volunteer Program for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014. Authorizes $115,000,000 to the Foster Grandparent Program for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014. Authorizes $55,000,000 to the Senior Companion Program for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014. Authorizes such sums as may be necessary for Demonstration programs for fiscal years 2010 through 2014.

Title III—Amendments to Other Laws

Section 3101. Inspector General Act

Includes a technical modification to Section 8E (a)(1) of the Inspector General Act (5 U.S.C. App.).

Title IV—Technical Amendments to Tables of Contents

Section 4101. Table of contents for the National and Community Service Act of 1990

Amends Section 1(b) of the National and Community Service Act of 1990 (42 U.S.C. 12501 note). Modifies and adds to the table of contents for the Act.

Section 4102. Table of contents amendments for the Domestic Volunteer Service Act

Amends Section 1(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 note). Modifies and adds to the table of contents for the Act.

Title V—Effective Date

Section 5101. Effective date

Authorizes the amendments made by the Act to take effect upon enactment of the Act.

Section 5102. Service assignments and agreements

Adds language to ensure that terms and conditions outlined in the amendments of the Act apply only to individuals who enroll or

begin service assignments after 90 days after the date of enactment of the Act.

Title VI—Congressional Commission on Civic Service

Section 6101. Short title

This title is cited at the "Congressional Commission on Civic Service Act."

Section 6102. Findings

Describes how national service strengthens our nation and explains the many benefits to society and individuals that participate in volunteerism.

Section 6103. Establishment

The Commission will be established in the legislative branch and be known as the Congressional Commission on Civic Service.

Section 6104. Duties

Outlines the purpose and specific topics regarding service that the Commission shall address. Requires the Commission to conduct public hearings and consult with an advisory panel of Members of Congress.

Section 6105. Membership

Outlines the composition, terms of service, compensation, and meeting requirements of the Commission.

Section. 6106. Director and staff of Commission; experts and consultants

Requires the Commission to appoint a Director and additional staff, experts and consultants as the Director considers appropriate and with the approval of the Commission.

Section 6107. Powers of Commission

Allows the Commission to hold public hearings, accept testimony, and receive evidence as the Commission considers appropriate.

Section 6108. Reports

Requires the Commission to submit an interim and final report on its activities.

Section 6109. Termination

Terminates the Commission no later than 30 days after submission of the final report.

VI. Explanation of Amendments

The Amendment in the Nature of a Substitute, as amended, is explained in the body of this report.

VII. Application of Law to the Legislative Branch

Section 102(b)(3) of Public Law 104–1, the Congressional Accountability Act, requires a description of the application of this bill to the legislative branch. H.R. 1388 reauthorizes and reforms the

national service laws. The bill does not prevent legislative branch employees' coverage under this legislation.

VIII. Unfunded Mandate Statement

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act, P.L. 104–4) requires a statement of whether the provisions of the reported bill include unfunded mandates. H.R. 1388 contains no intergovernmental or private-sector mandates as defined by the Unfunded Mandates Reform Act (UMRA).

IX. Earmark Statement

H.R. 1388 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clauses 9(d), 9(e) or 9(f) of rule XXI of the House of Representatives.

X. Roll Call

COMMITTEE ON EDUCATION AND LABOR

ROLL CALL #1 BILL: H.R. 1388 DATE: 3/11/2009
AMENDMENT NUMBER ADOPTED: 34 AYES / 3 NOES
SPONSOR/AMENDMENT: KILDEE – MOTION TO FAVORABLY REPORT THE BILL TO THE HOUSE, AS AMENDED

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. MILLER, Chairman	X			
Mr. KILDEE, Vice Chairman	X			
Mr. PAYNE	X			
Mr. ANDREWS	X			
Mr. SCOTT				X
Ms. WOOLSEY	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY				X
Mr. TIERNEY	X			
Mr. KUCINICH				X
Mr. WU	X			
Mr. HOLT	X			
Mrs. DAVIS	X			
Mr. GRIJALVA				X
Mr. TIMOTHY BISHOP	X			
Mr. SESTAK	X			
Mr. LOEBSACK	X			
Ms. HIRONO	X			
Mr. ALTMIRE				X
Mr. HARE	X			
Ms. CLARKE	X			
Mr. COURTNEY	X			
Ms. SHEA-PORTER	X			
Ms. FUDGE	X			
Mr. POLIS	X			
Mr. TONKO	X			
Mr. PIERLUISI	X			
Mr. SABLAN	X			
Ms. TITUS	X			
vacancy				
Mr. McKEON, Senior Republican Member	X			
Mr. PETRI	X			
Mr. HOEKSTRA				X
Mr. CASTLE	X			
Mr. SOUDER				X
Mr. EHLERS	X			
Mrs. BIGGERT	X			
Mr. PLATTS	X			
Mr. WILSON		X		
Mr. KLINE		X		
Mrs. McMORRIS RODGERS				X
Mr. PRICE				X
Mr. ROB BISHOP				X
Mr. GUTHRIE	X			
Mr. CASSIDY	X			
Mr. McCLINTOCK		X		
Mr. HUNTER				X
Mr. ROE	X			
Mr. THOMPSON	X			
TOTALS	**34**	**3**		**11**

XI. Statement of Oversight Findings and Recommendations of the Committee

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the body of this report.

XII. New Budget Authority and CBO Cost Estimate

With respect to the requirements of clause 3(c)(2) of rule XIII of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of 3(c)(3) of rule XIII of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee expects to receive an estimate for H.R. 1388 from the Director of the Congressional Budget Office:

XIII. Statement of General Performance Goals and Objectives

In accordance with clause 3(c) of rule XIII of the House of Representatives, the goal of H.R. 1388 is to renew and promote the spirit of service by reauthorizing the national service laws. The Committee expects the Corporation for National Services to comply with H.R. 1388 and implement the changes to the law in accordance with these stated goals.

XIV. Constitutional Authority Statement

Under clause 3(d)(1) of rule XIII of the House of Representatives, the Committee must include a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by H.R.1388. The Committee believes that the amendments made by this bill are within Congress's authority under Article I, section 8, clause 1 of the U.S. Constitution.

XV. Committee Estimate

Clause 3(d)(2) of rule XIII of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 1388. The Committee expects to file a supplemental report that will include a cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act.

XVI. Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) * * *

[(b) Table of Contents.—The table of contents is as follows:

[Sec. 1. Short title and table of contents.
[Sec. 2. Findings and purpose.

[TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

[Subtitle A—General Provisions

[Sec. 101. Definitions.
[Sec. 102. Authority to make State grants.

[Subtitle B—School-Based and Community-Based Service-Learning Programs

[PART I—SERVE-AMERICA PROGRAMS

[SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

[Sec. 111. Authority to assist States and Indian tribes.
[Sec. 111A. Authority to assist local applicants in nonparticipating States.
[Sec. 111B. Authority to assist public or private nonprofit organizations.
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SEC. 2. FINDINGS AND PURPOSE.

(a) * * *

(b) PURPOSE.—It is the purpose of this Act to—

(1) * * *

(2) renew the ethic of civic responsibility and the spirit of [community throughout] *community and service throughout the varied and diverse communities of* the United States;

* * * * * * *

(4) encourage citizens of the United States, regardless of age, income, *geographic location,* or disability, to engage in full-time or part-time national service;

* * * * * * *

(6) expand and strengthen existing *national* service programs with demonstrated experience in providing structured service opportunities with visible benefits to the participants and community;

(7) build on the existing organizational service infrastructure of Federal, State, and local [programs and agencies] *programs, agencies, and communities* to expand full-time and part-time service opportunities for all citizens; [and]

(8) provide tangible benefits to the communities in which national service is performed[.]*;*

(9) recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in addressing national and local challenges;

(10) increase public and private investment in nonprofit community organizations that are effectively addressing national and local challenges and to encourage such organizations to replicate and expand successful initiatives;

(11) leverage Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

(12) expand and strengthen service-learning programs through year-round opportunities, including during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community to children and youth throughout the United States;

(13) assist in coordinating and strengthening Federal and other service opportunities, including opportunities for partici-

pation in emergency and disaster preparedness, relief, and recovery;

(14) increase service opportunities for our Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions to improve the education of our Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older Americans;

(15) encourage the continued service of the alumni of the national service programs, including service in times of national need;

(16) support institutions of higher education that engage students in community service activities, provide service-learning courses, and encourage or assist graduates to pursue careers in public service in the nonprofit or government sector; and

(17) encourage members of the Baby Boom generation to partake in service opportunities.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the number of participants in the programs authorized under subtitle C, including the Volunteers in Service to America (VISTA) and the National Civilian Community Corps (NCCC), should grow to reach 250,000 participants by 2014.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

SEC. 101. DEFINITIONS.

For purposes of this title:

(1) * * *

* * * * * * *

(3) APPROVED SUMMER OF SERVICE POSITION.—The term "approved summer of service position" means a position in a program described under section 120(c)(8) for which the Corporation has approved the provision of a summer of service educational award as one of the benefits to be provided for successful service in the position.

(4) BABY BOOM GENERATION.—The term "Baby Boom generation" means the generation that consists of individuals born during the period beginning with 1946 and ending with 1964.

[(3)**]** *(5)* CARRY OUT.—The term "carry out", when used in connection with a national service program **[**described in section 122**]**, means the planning, establishment, operation, expansion, or replication of the program.

[(4)**]** *(6)* CHIEF EXECUTIVE OFFICER.—The term "Chief Executive Officer", except when used to refer to the chief executive officer of a State, means the Chief Executive Officer of the Corporation appointed under section 193.

[(5)**]** *(7)* COMMUNITY-BASED AGENCY.—The term "community-based agency" means a private nonprofit organization (including a **[**church or other**]** religious entity) that—

(A) * * *

* * * * * * *

[(6)] *(8)* CORPORATION.—The term "Corporation" means the Corporation for National and Community Service established under section 191.

(9) DISADVANTAGED YOUTH.—The term "disadvantaged youth" includes those youth who are economically disadvantaged and one or more of the following:

(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

(B) Who are in or aging out of foster care.

(C) Who have limited English proficiency.

(D) Who are homeless or who have run away from home.

(E) Who are at-risk to leave school without a diploma.

(F) Who are former juvenile offenders or at risk of delinquency.

(G) Who are individuals with a disability.

[(7)] *(10)* ECONOMICALLY DISADVANTAGED.—The term "economically disadvantaged" means, with respect to an individual, an individual who is determined by the Chief Executive Officer to be low-income according to the latest available data from the Department of Commerce.

[(8)] *(11)* ELEMENTARY SCHOOL.—The term "elementary school" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

(12) COMMUNITY-BASED ORGANIZATION.—The term "community-based organization" means a public or private nonprofit organization that—

(A) has experience with meeting unmet human, educational, environmental, or public safety needs; and

(B) meets other such criteria as the Chief Executive Officer may establish.

(13) HISPANIC-SERVING INSTITUTION.—The term "Hispanic-serving institution" has the meaning given such term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

(14) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term "historically black college or university" means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

[(9)] *(15)* INDIAN.—The term "Indian" means a person who is a member of an Indian tribe, or is a "Native", as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

[(10)] *(16)* INDIAN LANDS.—The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for an Indian or Indian tribe, and any real property held by an Indian or Indian tribe that is subject to restrictions on alienation imposed by the United States.

[(11)] *(17)* INDIAN TRIBE.—The term "Indian tribe" means—

(A) * * *

* * * * * * *

[(12)] *(18)* INDIVIDUAL WITH A DISABILITY.—Except as provided in section 175(a), the term "individual with a disability" has the meaning given the term in section 7(20)(B) of the Rehabilitation Act of 1973.

[(13)] *(19)* INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the same meaning given such term in [section 101(a) of the Higher Education Act of 1965] *sections 101(a) and 102(a)(1) of the Higher Education Act of 1965*.

[(14)] *(20)* LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

[(15)] *(21)* NATIONAL SERVICE LAWS.—The term "national service laws" means this Act and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

[(16)] *(22)* OUT-OF-SCHOOL YOUTH.—The term "out-of-school youth" means an individual who—

(A) * * *

* * * * * * *

[(17)] *(23)* PARTICIPANT.—

(A) * * *

(B) RULE.—A participant shall not be considered to be an employee of the [program in which the participant is enrolled] *organization receiving assistance under the national service laws through which the participant is enrolled in an approved national service position*.

[(18)] *(24)* PARTNERSHIP PROGRAM.—The term "partnership program" means a program through which an adult volunteer, a public or private nonprofit organization, an institution of higher education, or a business assists a local educational agency.

[(19)] *(25)* PROGRAM.—The term "program", unless the context otherwise requires, and except when used as part of the term "academic program", means a program described in section 111(a) (other than a program referred to in paragraph (3)(B) of such section), 117A(a), 119(b)(1), or 122(a), or in paragraph (1) or (2) of section 152(b), or an activity that could be funded under section 198, 198C, or 198D.

[(20)] *(26)* PROJECT.—The term "project" means an activity, carried out through a program that receives assistance under this title, that results in a specific identifiable service or improvement that otherwise would not be done with existing funds, and that does not duplicate the routine services or functions of the employer to whom participants are assigned.

(27) QUALIFIED ORGANIZATION.—The term "qualified organization" means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.

[(21)] *(28)* SCHOOL-AGE YOUTH.—The term "school-age youth" means—

(A) * * *

(B) children with disabilities, as defined in section [602] *602(3)* of the Individuals with Disabilities Education Act

(20 U.S.C. [1401] *1401(3)*), who receive services under part B of such Act.

[(22)] *(29)* SECONDARY SCHOOL.—The term "secondary school" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

[(23)] *(30)* SERVICE-LEARNING.—The term "service-learning" means a method—

(A) * * *

(B) that—

(i) * * *

* * * * * * *

[(24)] *(31)* SERVICE-LEARNING COORDINATOR.—The term "service-learning coordinator" means an individual who provides services as described in subsection (a)(3) or (b) of section 111.

[(25)] *(32)* SERVICE SPONSOR.—The term "service sponsor" means an organization, or other entity, that has been selected to provide a placement for a participant.

[(26)] *(33)* STATE.—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. The term also includes Palau, until such time as the Compact of Free Association is ratified.

[(27)] *(34)* STATE COMMISSION.—The term "State Commission" means a State Commission on National and Community Service maintained by a State pursuant to section 178. Except when used in section 178, the term includes an alternative administrative entity for a State approved by the Corporation under such section to act in lieu of a State Commission.

[(28)] *(35)* STATE EDUCATIONAL AGENCY.—The term "State educational agency" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

[(29)] *(36)* STUDENT.—The term "student" means an individual who is enrolled in an elementary or secondary school or institution of higher education on a full- or part-time basis.

(37) PREDOMINANTLY BLACK INSTITUTION.—The term "predominantly black institution" has the meaning given such term in section 318 of the Higher Education Act of 1965 (20 U.S.C. 1059e).

(38) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term "tribally controlled college or university" has the meaning given such term in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).

(39) MEDICALLY UNDERSERVED POPULATION.—The term "medically underserved population" has the meaning given that term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

(40) VETERAN.—The term "veteran" means any individual who has engaged in the active duty in the United States Army, Navy, Air Force, or Coast Guard and was released under a condition other than dishonorable.

Subtitle B—School-Based and Community-Based Service-Learning Programs

[PART I—SERVE-AMERICA PROGRAMS

[Subpart A—School-Based Programs for Students

[SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN TRIBES.

[(a) USE OF FUNDS.—The Corporation, in consultation with the Secretary of Education, may make grants under section 112(b)(1), and allotments under subsections (a) and (b)(2) of section 112, to States (through State educational agencies), and to Indian tribes, to pay for the Federal share of—

[(1) planning and building the capacity of the States or Indian tribes (which may be accomplished through grants or contracts with qualified organizations) to implement school-based service-learning programs, including—

[(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the utilization of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

[(B) developing service-learning curricula to be integrated into academic programs, including the age-appropriate learning component described in section 114(d)(2);

[(C) forming local partnerships described in paragraph (2) or (4) to develop school-based service-learning programs in accordance with this subpart;

[(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities; and

[(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effectiveness in working with school-age youth in their communities;

[(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through State distribution of Federal funds made available under this subpart to projects operated by local partnerships among—

[(A) local educational agencies; and

[(B) one or more community partners that—

[(i) shall include a public or private nonprofit organization that—

[(I) has a demonstrated expertise in the provision of services to meet unmet human, educational, environmental, or public safety needs;

[(II) was in existence at least 1 year before the date on which the organization submitted an application under section 114; and

[(III) will make projects available for participants, who shall be students; and

[(ii) may include a private for-profit business or private elementary or secondary school;

[(3) planning of school-based service-learning programs, through State distribution of Federal funds made available under this subpart to local educational agencies, which planning may include paying for the cost of—

[(A) the salaries and benefits of service-learning coordinators; or

[(B) the recruitment, training, supervision, and placement of service-learning coordinators who are participants in a program under subtitle C or receive a national service educational award under subtitle D,

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2); and

[(4) implementing, operating, or expanding school-based service-learning programs involving adult volunteers to utilize service-learning to improve the education of students, through State distribution of Federal funds made available under this part to local partnerships among—

[(A) local educational agencies; and

[(B) one or more—

[(i) public or private nonprofit organizations;

[(ii) other educational agencies; or

[(iii) private for-profit businesses,

that coordinate and operate projects for participants, who shall be students.

[(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a local educational agency by—

[(1) providing technical assistance and information to, and facilitating the training of, teachers who want to use service-learning in their classrooms;

[(2) assisting local partnerships described in subsection (a) in the planning, development, and execution of service-learning projects; and

[(3) carrying out such other duties as the local educational agency may determine to be appropriate.

[(c) RELATED EXPENSES.—A partnership, local educational agency, or other qualified organization that receives financial assistance under this subpart may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations, and for other reasonable expenses related to the activities.

[SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN NON-PARTICIPATING STATES.

[In any fiscal year in which a State does not submit an application under section 113, for an allotment under subsection (a) or (b)(2) of section 112, that meets the requirements of section 113 and such other requirements as the Chief Executive Officer may determine to be appropriate, the Corporation may use the allotment of that State to make direct grants to pay for the Federal share of the cost of—

[(1) carrying out the activities described in paragraph (2) or (4) of section 111(a), to a local partnership described in such paragraph; or

[(2) carrying out the activities described in paragraph (3) of such section, to an agency described in such paragraph,

that is located in the State.

[SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE NONPROFIT ORGANIZATIONS.

[(a) IN GENERAL.—The Corporation may make grants under section 112(b)(1) to public or private nonprofit organizations that—

[(1) have experience with service-learning;

[(2) were in existence at least 1 year before the date on which the organization submitted an application under section 114(a); and

[(3) meet such other criteria as the Chief Executive Officer may establish.

[(b) USE OF FUNDS.—Such organizations may use grants made under subsection (a) to make grants to partnerships described in paragraph (2) or (4) of section 111(a) to implement, operate, or expand school-based service-learning programs as described in such section and provide technical assistance and training to appropriate persons.

[SEC. 112. GRANTS AND ALLOTMENTS.

[(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this subpart for any fiscal year, the Corporation shall reserve an amount of not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs. The Corporation may also make payments from such amount to Palau, in accordance with its needs, until such time as the Compact of Free Association with Palau is ratified.

[(b) GRANTS AND ALLOTMENTS THROUGH STATES.—The Corporation shall use the remainder of the funds appropriated to carry out this subpart for any fiscal year as follows:

[(1) GRANTS.—Except as provided in paragraph (3), from 25 percent of such remainder, the Corporation may make grants, on a competitive basis, to—

[(A) States and Indian tribes; or

[(B) as described in section 111B, to grantmaking entities.

[(2) ALLOTMENTS.—

[(A) SCHOOL-AGE YOUTH.—Except as provided in paragraph (3), from 37.5 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth of all States.

[(B) ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Except as provided in paragraph (3), from 37.5 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the

Elementary and Secondary Education Act of 1965 (20 U.S.C. 2711 et seq.) or its successor authority bears to such allocations to all States.

[(3) MINIMUM AMOUNT.—No State shall receive, under paragraph (2), an allotment that is less than the allotment such State received for fiscal year 1993 under section 112(b) of this Act, as in effect on the day before the date of enactment of this part. If the amount of funds made available in a fiscal year to carry out paragraph (2) is insufficient to make such allotments, the Corporation shall make available sums from the 25 percent described in paragraph (1) for such fiscal year to make such allotments.

[(4) DEFINITION.—Notwithstanding section 101(26), for purposes of this subsection, the term "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

[(c) REALLOTMENT.—If the Corporation determines that the allotment of a State or Indian tribe under this section will not be required for a fiscal year because the State or Indian tribe does not submit an application for the allotment under section 113 that meets the requirements of such section and such other requirements as the Chief Executive Officer may determine to be appropriate, the Corporation shall, after making any grants under section 111A to a partnership or agency described in such section, make any remainder of such allotment available for reallotment to such other States, and Indian tribes, with approved applications submitted under section 113, as the Corporation may determine to be appropriate.

[(d) EXCEPTION.—Notwithstanding subsections (a) and (b), if less than $20,000,000 is appropriated for any fiscal year to carry out this subpart, the Corporation shall award grants to States and Indian tribes, from the amount so appropriated, on a competitive basis to pay for the Federal share of the activities described in section 111.

[SEC. 113. STATE OR TRIBAL APPLICATIONS.

[(a) SUBMISSION.—To be eligible to receive a grant under section 112(b)(1), an allotment under subsection (a) or (b)(2) of section 112, a reallotment under section 112(c), or a grant under section 112(d), a State, acting through the State educational agency, or an Indian tribe, shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

[(b) CONTENTS.—An application that is submitted under subsection (a) with respect to service-learning programs described in section 111 shall include—

[(1) a 3-year strategic plan, or a revision of a previously approved 3-year strategic plan, for promoting service-learning through the programs, which plan shall contain such information as the Chief Executive Officer may reasonably require, including information demonstrating that the programs will be carried out in a manner consistent with the approved strategic plan;

[(2) assurances that—

[(A) the applicant will keep such records and provide such information to the Corporation with respect to the

programs as may be required for fiscal audits and program evaluation; and

[(B) the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedure requirements of section 176(f); and

[(3) such additional information as the Chief Executive Officer may reasonably require.

[SEC. 114. LOCAL APPLICATIONS.

[(a) APPLICATION TO CORPORATION TO MAKE GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

[(1) IN GENERAL.—To be eligible to receive a grant in accordance with section 111B(a) to make grants relating to school-based service-learning programs described in section 111(a), a grantmaking entity shall prepare, submit to the Corporation, and obtain approval of, an application.

[(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chief Executive Officer may reasonably require. Such application shall include a proposal to assist such programs in more than 1 State.

[(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS IN NONPARTICIPATING STATES.—To be eligible to receive a grant from the Corporation in the circumstances described in section 111A to carry out an activity as described in such section, a partnership or agency described in such section shall prepare, submit to the Corporation, and obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chief Executive Officer may reasonably require.

[(c) APPLICATION TO STATE OR INDIAN TRIBE TO RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

[(1) IN GENERAL.—Any—

[(A) qualified organization that desires to receive financial assistance under this subpart from a State or Indian tribe for an activity described in section 111(a)(1);

[(B) partnership described in section 111(a)(2) that desires to receive such assistance from a State, Indian tribe, or grantmaking entity for an activity described in section 111(a)(2);

[(C) agency described in section 111(a)(3) that desires to receive such assistance from a State or Indian tribe for an activity described in such section; or

[(D) partnership described in section 111(a)(4) that desires to receive such assistance from a State or Indian tribe for an activity described in such section,

to be carried out through a service-learning program described in section 111, shall prepare, submit to the State educational agency, Indian tribe, or grantmaking entity, and obtain approval of, an application for the program.

[(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, tribe, or entity may reasonably require.

[(d) REGULATIONS.—The Corporation shall by regulation establish standards for the information and assurances required to be

contained in an application submitted under subsection (a) or (b) with respect to a service-learning program described in section 111, including, at a minimum, assurances that—

[(1) prior to the placement of a participant, the entity carrying out the program will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees;

[(2) the entity carrying out the program will develop an age-appropriate learning component for participants in the program that shall include a chance for participants to analyze and apply their service experiences; and

[(3) the entity carrying out the program will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedure requirements of section 176(f).

[(e) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—No applicant shall submit an application under section 113 or this section, and the Corporation shall reject an application that is submitted under section 113 or this section, if the application describes a project proposed to be conducted using assistance requested by the applicant and the project is already described in another application pending before the Corporation.

[SEC. 115. CONSIDERATION OF APPLICATIONS.

[(a) CRITERIA FOR APPLICATIONS.—In approving applications for financial assistance under subsection (a), (b), (c), or (d) of section 112, the Corporation shall consider such criteria with respect to sustainability, replicability, innovation, and quality of programs under this subpart as the Chief Executive Officer may by regulation specify. In providing assistance under this subpart, a State educational agency, Indian tribe, or grantmaking entity shall consider such criteria.

[(b) PRIORITY FOR LOCAL APPLICATIONS.—In providing assistance under this subpart, a State educational agency or Indian tribe, or the Corporation if section 111A or 111B applies, shall give priority to entities that submit applications under section 114 with respect to service-learning programs described in section 111 that—

[(1) involve participants in the design and operation of the program;

[(2) are in the greatest need of assistance, such as programs targeting low-income areas;

[(3) involve—

[(A) students from public elementary or secondary schools, and students from private elementary or secondary schools, serving together; or

[(B) students of different ages, races, sexes, ethnic groups, disabilities, or economic backgrounds, serving together; or

[(4) are integrated into the academic program of the participants.

[(c) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State under section 113 for an allotment under section 112(b)(2), the Corporation shall promptly notify the State of the reasons for the rejection of the application. The Cor-

poration shall provide the State with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

[SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

[(a) IN GENERAL.—To the extent consistent with the number of students in the State or Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State, Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

[(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this subpart; and

[(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this subpart.

[(b) WAIVER.—If a State, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers. Such waivers shall be subject to consultation, withholding, notice, and judicial review requirements in accordance with paragraphs (3) and (4) of section 1017(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2727(b)), as in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994.

[SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

[(a) SHARE.—

[(1) IN GENERAL.—The Federal share attributable to this subpart of the cost of carrying out a program for which a grant or allotment is made under this subpart may not exceed—

[(A) 90 percent of the total cost of the program for the first year for which the program receives assistance under this subpart;

[(B) 80 percent of the total cost of the program for the second year for which the program receives assistance under this subpart;

[(C) 70 percent of the total cost of the program for the third year for which the program receives assistance under this subpart; and

[(D) 50 percent of the total cost of the program for the fourth year, and for any subsequent year, for which the program receives assistance under this subpart.

[(2) CALCULATION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this subpart—

[(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

[(B) may provide for such share through State sources, local sources, or Federal sources (other than funds made available under the national service laws).

[(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

[SEC. 116A. LIMITATIONS ON USES OF FUNDS.

[(a) ADMINISTRATIVE COSTS.—

[(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to a State educational agency, Indian tribe, or grantmaking entity that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to pay for administrative costs incurred by—

[(A) the original recipient; or

[(B) the entity carrying out the service-learning programs supported with the assistance.

[(2) RULES ON USE.—The Chief Executive Officer may by rule prescribe the manner and extent to which—

[(A) such assistance may be used to cover administrative costs; and

[(B) that portion of the assistance available to cover administrative costs should be distributed between—

[(i) the original recipient; and

[(ii) the entity carrying out the service-learning programs supported with the assistance.

[(b) CAPACITY-BUILDING ACTIVITIES.—

[(1) IN GENERAL.—Except as provided in paragraph (2), not less than 10 percent and not more than 15 percent of the amount of assistance provided to a State educational agency or Indian tribe that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to build capacity through training, technical assistance, curriculum development, and coordination activities, described in section 111(a)(1).

[(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in order to permit an agency or a tribe to use not less than 10 percent and not more than 20 percent of such amount to build capacity as provided in paragraph (1). To be eligible to receive such a waiver such an agency or tribe shall submit an application to the Chief Executive Officer at such time, in such manner, and containing such information as the Chief Executive Officer may require.

[(c) LOCAL USES OF FUNDS.—Funds made available under this subpart may not be used to pay any stipend, allowance, or other financial support to any student who is a participant under this subtitle, except reimbursement for transportation, meals, and other

reasonable out-of-pocket expenses directly related to participation in a program assisted under this subpart.

[SEC. 116B. DEFINITIONS.

[As used in this subpart:

[(1) GRANTMAKING ENTITY.—The term "grantmaking entity" means an organization described in section 111B(a).

[(2) SCHOOL-BASED.—The term "school-based" means based in an elementary school or a secondary school.

[(3) STUDENT.—Notwithstanding section 101(29), the term "student" means an individual who is enrolled in an elementary or secondary school on a full- or part-time basis.

[Subpart B—Community-Based Service Programs for School-Age Youth

[SEC. 117. DEFINITIONS.

[As used in this subpart:

[(1) COMMUNITY-BASED SERVICE PROGRAM.—The term "community-based service program" means a program described in section 117A(b)(1)(A).

[(2) GRANTMAKING ENTITY.—The term "grantmaking entity" means a qualified organization that—

[(A) submits an application under section 117C(a) to make grants to qualified organizations;

[(B) was in existence at least 1 year before the date on which the organization submitted the application; and

[(C) meets such other criteria as the Chief Executive Officer shall establish.

[(3) QUALIFIED ORGANIZATION.—The term "qualified organization" means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.

[SEC. 117A. GENERAL AUTHORITY.

[(a) GRANTS.—From the funds appropriated to carry out this subpart for a fiscal year, the Corporation may make grants to State Commissions, grantmaking entities, and qualified organizations to pay for the Federal share of the implementation, operation, expansion, or replication of community-based service programs.

[(b) USE OF FUNDS.—

[(1) STATE COMMISSIONS AND GRANTMAKING ENTITIES.—A State Commission or grantmaking entity may use a grant made under subsection (a)—

[(A) to make a grant to a qualified organization to implement, operate, expand, or replicate a community-based service program that provides for meaningful human, educational, environmental, or public safety service by participants, who shall be school-age youth; or

[(B) to provide training and technical assistance to such an organization.

[(2) QUALIFIED ORGANIZATIONS.—A qualified organization, other than a grantmaking entity, may use a grant made under subsection (a) to implement, operate, expand, or replicate a program described in paragraph (1)(A).

[SEC. 117B. STATE APPLICATIONS.

[(a) IN GENERAL.—To be eligible to receive a grant under section 117A(a), a State Commission shall prepare, submit to the Corporation, and obtain approval of, an application.

[(b) SUBMISSION.—Such application shall be submitted to the Corporation at such time and in such manner, and shall contain such information, as the Chief Executive Officer may reasonably require.

[(c) CONTENTS.—Such an application shall include, at a minimum, a State plan that contains the information and assurances described in section 117C(d) with respect to each community-based service program proposed to be carried out through funding distributed by the State Commission under this subpart.

[SEC. 117C. LOCAL APPLICATIONS.

[(a) APPLICATION TO CORPORATION TO MAKE GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from the Corporation under section 117A(a) to make grants under section 117A(b)(1), a grantmaking entity shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out through grants made to qualified organizations. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chief Executive Officer may reasonably require.

[(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from the Corporation under section 117A(a) to implement, operate, expand, or replicate a community service program, a qualified organization shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out at multiple sites, or that proposes an innovative community-based service program. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chief Executive Officer may reasonably require.

[(c) APPLICATION TO STATE COMMISSION OR GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from a State Commission or grantmaking entity under section 117A(b)(1), a qualified organization shall prepare, submit to the Commission or entity, and obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Commission or entity may reasonably require.

[(d) REGULATIONS.—The Corporation shall by regulation establish standards for the information and assurances required to be contained in an application submitted under subsection (a) or (b) with respect to a community-based service program, including, at a minimum—

[(1) an assurance that the entity carrying out the program proposed by the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f);

[(2) an assurance that the entity carrying out the program will, prior to placing a participant in the program, consult with the appropriate local labor organization, if any, representing

employees in the area in which the program will be carried out that are engaged in the same or similar work as the work proposed to be carried out by the program, to prevent the displacement of such employees; and

[(3) in the case of an application submitted by a grantmaking entity, information demonstrating that the entity will make grants for a program to—

[(A) carry out activities described in section 117A(b)(1) in two or more States, under circumstances in which the activities carried out under such program can be carried out more efficiently through one program than through two or more programs; and

[(B) carry out the same activities, such as training activities or activities related to exchanging information on service experiences, through each of the projects assisted through the program.

[(e) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—No applicant shall submit an application under section 117B or this section, and the Corporation shall reject an application that is submitted under section 117B or this section, if the application describes a project proposed to be conducted using assistance requested by the applicant and the project is already described in another application pending before the Corporation.

[SEC. 117D. CONSIDERATION OF APPLICATIONS.

[(a) APPLICATION OF CRITERIA.—The Corporation shall apply the criteria described in subsection (b) in determining whether to approve an application submitted under section 117B or under subsection (a) or (b) of section 117C and to provide assistance under section 117A to the applicant on the basis of the application.

[(b) ASSISTANCE CRITERIA.—In evaluating such an application with respect to a program under this subpart, the Corporation shall consider the criteria established for national service programs under section 133(c).

[(c) APPLICATION TO SUBGRANTS.—A State Commission or grantmaking entity shall apply the criteria described in subsection (b) in determining whether to approve an application under section 117C(c) and to make a grant under section 117A(b)(1) to the applicant on the basis of the application.

[SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

[(a) FEDERAL SHARE.—

[(1) IN GENERAL.—The Federal share attributable to this subpart of the cost of carrying out a program for which a grant is made under this subpart may not exceed the percentage specified in subparagraph (A), (B), (C), or (D) of section 116(a)(1), as appropriate.

[(2) CALCULATION.—Each recipient of assistance under this subpart shall comply with section 116(a)(2).

[(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a), in whole or in part, as provided in section 116(b).

[SEC. 117F. LIMITATIONS ON USES OF FUNDS.

[(a) ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount of assistance provided to a State Commission, grantmaking entity, or qualified organization that is the original recipient of a

grant under section 117A(a) for a fiscal year may be used to pay for administrative costs incurred by—

[(1) the original recipient; or

[(2) the entity carrying out the community-based service programs supported with the assistance.

[(b) RULES ON USE.—The Chief Executive Officer may by rule prescribe the manner and extent to which—

[(1) such assistance may be used to cover administrative costs; and

[(2) that portion of the assistance available to cover administrative costs should be distributed between—

[(A) the original recipient; and

[(B) the entity carrying out the community-based service programs supported with the assistance.

[Subpart C—Clearinghouse

[SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.

[(a) IN GENERAL.—The Corporation shall provide financial assistance, from funds appropriated to carry out subtitle H, to organizations described in subsection (b) to establish a clearinghouse, which shall carry out activities, either directly or by arrangement with another such organization, with respect to information about service-learning.

[(b) PUBLIC OR PRIVATE NONPROFIT ORGANIZATIONS.—Public or private nonprofit organizations that have extensive experience with service-learning, including use of adult volunteers to foster service-learning, shall be eligible to receive assistance under subsection (a).

[(c) FUNCTION OF CLEARINGHOUSE.—An organization that receives assistance under subsection (a) may—

[(1) assist entities carrying out State or local service-learning programs with needs assessments and planning;

[(2) conduct research and evaluations concerning service-learning;

[(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

[(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

[(4) facilitate communication among entities carrying out service-learning programs and participants in such programs;

[(5) provide information, curriculum materials, and technical assistance relating to planning and operation of service-learning programs, to States and local entities eligible to receive financial assistance under this title;

[(6) provide information regarding methods to make service-learning programs accessible to individuals with disabilities;

[(7)(A) gather and disseminate information on successful service-learning programs, components of such successful programs, innovative youth skills curricula related to service-learning, and service-learning projects; and

[(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

[(8) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs;

[(9) assist organizations in recruiting, screening, and placing service-learning coordinators; and

[(10) carry out such other activities as the Chief Executive Officer determines to be appropriate.]

PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

SEC. 111. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

(a) PURPOSE.—School-based service learning programs promote service-learning as a strategy to—

(1) support high-quality service-learning projects that engage students in meeting community needs with demonstrable results, while enhancing students' academic and civic learning; and

(2) support efforts to build institutional capacity, including the training of educators, and to strengthen the service infrastructure to expand service opportunities.

(b) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, Territories, and Indian tribes to pay for the Federal share of—

(1) planning and building the capacity within the State, Territory, or Indian tribe to implement service-learning programs that are based principally in elementary and secondary schools, including—

(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

(C) forming local partnerships described in paragraph (2) or (4) to develop school-based service-learning programs in accordance with this part;

(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effectiveness in working with school-age youth in their communities; and

(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, with particular attention to schools identified for school improvement under title I of

the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution of Federal funds by State educational agencies, Territories, and Indian tribes made available under this part to projects operated by local partnerships among—

(A) local educational agencies; and

(B) 1 or more community partners that—

(i) shall include a public or private nonprofit organization that—

(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

(II) will make projects available for participants, who shall be students; and

(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

(ii) may include a private for-profit business, private elementary or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

(3) planning of school-based service-learning programs, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

(A) the salaries and benefits of service-learning coordinators; or

(B) the recruitment, training, supervision, and placement of service-learning coordinators who may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to—

(A) local educational agencies;

(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

(C) public or private nonprofit organizations; or

(D) partnerships or combinations of local educational agencies and entities described in subparagraph (B) or (C); and

(5) developing civic engagement programs that promote a better understanding of—

(A) the principles of the Constitution, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance;

(B) promote a better understanding of how the Nation's government functions; and

(C) promote a better understanding of the importance of service in the Nation's character.

(c) CONSULTATION WITH SECRETARY OF EDUCATION.—The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives that may include—

(1) Identification and dissemination of research findings on service-learning and scientifically-valid research based practices; and

(2) Provision of professional development opportunities that—

(A) improve the quality of service-learning instruction and delivery for teachers both pre-service and in-service, personnel from community-based agencies and youth workers; and

(B) create and sustain effective partnerships between local education agencies, community-based organizations, businesses, and other stakeholders.

(d) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (b) shall provide services that may include—

(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

(2) assisting local partnerships described in subsection (b) in the planning, development, and execution of service-learning projects, including summer of service programs; and

(3) carrying out such other duties as the recipient of assistance under this part may determine to be appropriate.

(e) RELATED EXPENSES.—An entity that receives financial assistance under this part may, in carrying out the activities described in subsection (b), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

SEC. 112. ALLOTMENTS.

(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(b) ALLOTMENTS THROUGH STATES.—After reserving the amount under subsection (a), the Corporation shall use the remainder of the

funds appropriated to carry out this part for any fiscal year as follows:

(1) ALLOTMENTS.—

(A) SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth of all States.

(B) ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or its successor authority bears to such allocations to all States.

(2) DEFINITION.—Notwithstanding section 101, for purposes of this subsection, the term "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, Territory, or Indian tribe under this section will not be required for a fiscal year because the State, Territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, Territory, or Indian tribe available for grants to community-based organization to carry out service-learning programs as described in section 111(b) in such State, Territory, or Indian tribe. After community-based organizations apply for the allotment with an application at such time and in such manner as the Corporation requires and receive approval, the remainder of such allotment shall be available for reallotment to such other States, Territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

(d) MINIMUM AMOUNT.—For any fiscal year for which amounts appropriated for this part exceed $50,000,000, the minimum allotment to each State (as defined in subsection (b)(2)) under this section shall be $65,000.

SEC. 113. APPLICATIONS.

(a) IN GENERAL.—To be eligible to receive an allotment under section 112, a State, acting through the State educational agency, Territory, or Indian tribe shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

(b) CONTENTS.—An application for an allotment under this part shall include—

(1) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

(2) information about the criteria the State educational agency, Territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (c), including

an assurance that the State educational agency, Territory, or Indian tribe will comply with the requirement in section 114(a);

(3) assurances about the applicant's efforts to—

(A) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

(B) include any opportunities for students enrolled in schools or other programs of education providing elementary or secondary education to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

(C) involve participants in the design and operation of the program;

(D) promote service-learning in areas of greatest need, including low-income or rural areas; and

(E) otherwise integrate service opportunities into the academic program of the participants;

(4) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedures required by section 176.

(c) APPLICATION TO STATE, TERRITORY, OR INDIAN TRIBE TO RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

(1) IN GENERAL.—Any—

(A) qualified organization, Indian tribe, Territory, local educational agency, for-profit business, private elementary, middle, or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, Territory, or Indian tribe for an activity described in section 111(b)(1);

(B) partnership described in section 111(b)(2) that desires to receive such assistance from a State, Territory, or Indian tribe or community-based organization described in section 111(b)(2);

(C) entity described in section 111(b)(3) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section;

(D) partnership described in section 111(b)(4) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section; and

(E) agency or partnership described in section 120(c)(8) that desires to receive such assistance, or approved summer of service positions, from a State, Territory, or Indian tribe for an activity described in such section to be carried out through a service-learning program described in section 111,

shall prepare, submit to the State educational agency, Territory, community-based organization, or Indian tribe, and obtain approval of, an application for the program.

(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, Territory, Indian tribe, or entity may reasonably require.

SEC. 114. CONSIDERATION OF APPLICATIONS.

(a) PRIORITY.—In considering competitive applications under this part, the Corporation shall give priority to innovation, sustainability, capacity building, involvement of disadvantaged youth, and quality of programs, as well as other criteria approved by the Chief Executive Officer.

(b) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State, Territory, or Indian tribe under section 113 for an allotment, the Corporation shall promptly notify the State, Territory, or Indian tribe of the reasons for the rejection of the application. The Corporation shall provide the State, Territory, or Indian tribe with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State, Territory, or Indian tribe as part of the re-submission process. The Corporation shall promptly reconsider such resubmitted application.

SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

(a) IN GENERAL.—To the extent consistent with the number of students in the State, Territory, or Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State, Territory, Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

(b) WAIVER.—If a State, Territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, Territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers. Such waivers shall be subject to the requirements of sections 9503 and 9504 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7883 and 7884).

SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

(a) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part—

(A) for new grants, may not exceed 80 percent of the total cost for the first year of the grant, 65 percent for the second year, and 50 percent for each remaining year; and

(B) for continuing grants, may not exceed 50 percent of the total cost of the program.

(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this part—

(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

(B) may provide for such share through State sources or local sources, including private funds or donated services.

(b) WAIVER.—

(1) IN GENERAL.—The Chief Executive Officer may, with respect to any such program for any fiscal year, and upon determination that such action would be equitable due to lack of resources at the local level—

(A) waive the requirements of subsection (a) in whole or in part; or

(B) allow a recipient to provide the non-Federal contribution required under subsection (a)(2) from funding available pursuant to title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(2) RULES.—The following rules apply to paragraph (1)(B):

(A) Paragraph (1)(B) applies only to recipients that are schools receiving funding under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(B) The non-Federal contribution provided under paragraph (1)(B) may only be used for purposes consistent with title I of such Act (20 U.S.C. 6301 et seq.).

SEC. 117. LIMITATIONS ON USES OF FUNDS.

Not more than 6 percent of the amount of assistance received by an applicant in a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by—

(1) the original recipient; or

(2) the entity carrying out the service-learning program supported with the assistance.

[PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE]

PART II—HIGHER EDUCATION PROVISIONS AND CAMPUSES OF SERVICE

SEC. [119.] *118.* HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE.

(a) PURPOSE.—It is the purpose of this part to expand participation in community service by supporting innovative community service programs *through service-learning* carried out through institutions of higher education, acting as civic institutions to meet the human, educational, environmental, or public safety needs of neighboring communities.

(b) GENERAL AUTHORITY.—The Corporation, in consultation with the Secretary of Education, is authorized to make grants to, and enter into contracts with, institutions of higher education (including a [combination] *consortia* of such institutions), and partner-

ships comprised of such institutions and of other public or private nonprofit organizations, to pay for the Federal share of the cost of—

(1) enabling such an institution or partnership to create or expand an organized community service program that—

(A) engenders a sense of social responsibility and commitment to the community in which the institution is located; [and]

(B) provides projects for participants, who shall be students, faculty, administration, or staff of the institution, or residents of the community; *and*

(C) may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at one or more members of the consortia;

* * * * * * *

(3) strengthening the leadership and instructional capacity of [teachers at the elementary, secondary, and postsecondary levels] *institutions of higher education and their faculty*, with respect to service-learning, by—

(A) including service-learning as a key component of the preservice teacher [education of the institution; and] *curricula of the institution to strengthen the instructional capacity of service-learning at the elementary and secondary levels;*

(B) including service-learning as a key component of the health professionals curricula, including nursing, pre-medicine, medicine, and dentistry curricula of the institution;

(C) including service-learning as a key component of the criminal justice professionals curricula of the institution;

(D) including service-learning as a key component of the public policy and public administration curricula of the institution; and

[(B)] *(E)* encouraging the faculty of the institution to use service-learning methods throughout their curriculum;

* * * * * * *

[(c) FEDERAL SHARE.—

[(1) SHARE.—

[(A) IN GENERAL.—The Federal share of the cost of carrying out a community service project for which a grant or contract is awarded under this part may not exceed 50 percent.

[(B) CALCULATION.—Each recipient of assistance under this part shall comply with section 116(a)(2).

[(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1), in whole or in part, as provided in section 116(b).

[(d) APPLICATION FOR GRANT.—

[(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an institution or partnership described in subsection (b) shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assist-

ance under this part, the Corporation shall specify such required information and assurances.

[(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

[(A) assurances that—

[(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

[(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and grievance procedure requirements of section 176(f); and

[(B) such other assurances as the Chief Executive Officer may reasonably require.

[(e) PRIORITY.—

[(1) IN GENERAL.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants that submit applications containing proposals that—

[(A) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

[(B) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

[(C) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools;

[(D) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

[(i) the institution;

[(ii)(I) a community-based agency;

[(II) a local government agency; or

[(III) a nonprofit entity that serves or involves school-age youth or older adults; and

[(iii) a student organization;

[(E) demonstrate community involvement in the development of the proposal;

[(F) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education; or

[(G) with respect to projects involving delivery of service, specify projects that involve leadership development of school-age youth.

[(2) DETERMINATION.—In giving priority to applicants under paragraph (1), the Corporation shall give increased priority to such an applicant for each characteristic described in subpara-

graphs (A) through (G) of paragraph (1) that is reflected in the application submitted by the applicant.]

(c) SPECIAL CONSIDERATION.—To the extent practicable, the Corporation shall give special consideration to applications submitted by predominantly Black institutions, Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal Colleges and Universities, and community colleges serving predominantly minority populations.

(d) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

(ii) may provide for such share through State sources or local sources, including private funds or donated services.

(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

(e) APPLICATION FOR GRANT.—

(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an applicant shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

(A) assurances that—

(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedures required by section 176; and

(B) such other assurances as the Chief Executive Officer may reasonably require.

(f) PRIORITY.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to appli-

cants or institutions that submit applications containing proposals that—

(1) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

(2) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

(3) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools and colleges;

(4) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

(A) the institution;

(B)(i) a community-based agency;

(ii) a local government agency; or

(iii) a non-profit entity that serves or involves school-age youth, older adults, or low-income communities; and

(C)(i) a student organization;

(ii) a department of the institution; or

(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

(5) demonstrate community involvement in the development of the proposal and the extent to which the proposal will contribute to the goals of its community partners;

(6) describe research on effective strategies and methods to improve service utilized in the design of the project;

(7) demonstrate a commitment to perform service projects in underserved urban and rural communities;

(8) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education;

(9) with respect to projects involving delivery of services, specify projects that involve leadership development of school aged youth; or

(10) describe how service projects and activities are associated with such ideas as housing, economic development, infrastructure, health care, job training, education, crime prevention, urban planning, transportation technology, and child welfare.

(g) DEFINITION.—Notwithstanding section 101, as used in this part, the term "student" means an individual who is enrolled in an institution of higher education on a full- or part-time basis.

(h) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education must demonstrate that it meets the minimum requirements under section 443(b)(2) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)) relating to the participation of Federal Work-Study students in community service activities, or has received a waiver of those requirements from the Secretary of Education.

[(f)**]** *(i)* NATIONAL SERVICE EDUCATIONAL AWARD.—A participant in a program funded under this part shall be eligible for the national service educational award described in subtitle D, if the participant served in an approved national service position.

[(g) DEFINITION.—Notwithstanding section 101(29), as used in this part, the term "student" means an individual who is enrolled in an institution of higher education on a full- or part-time basis.]

SEC. 119. CAMPUSES OF SERVICE.

(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, may annually designate not more than 25 institutions of higher education as Campuses of Service, from among institutions nominated by State Commissions.

(b) APPLICATIONS FOR NOMINATION.—

(1) IN GENERAL.—To be eligible for a nomination to receive designation under subsection (a), and have an opportunity to apply for funds under subsection (d) for a fiscal year, an institution of higher education in a State shall submit an application to the State Commission at such time, in such manner, and containing such information as the State Commission may require.

(2) CONTENTS.—At a minimum, the application shall include information specifying—

(A)(i) the number of undergraduate and, if applicable, graduate service-learning courses offered at such institution for the most recent full academic year preceding the fiscal year for which designation is sought; and

(ii) the number and percentage of undergraduate students and, if applicable, the number and percentage of graduate students at such institution who were enrolled in the corresponding courses described in clause (i), for such preceding academic year;

(B) the percentage of undergraduate students engaging in and, if applicable, the percentage of graduate students engaging in activities providing community services, as defined in section 441(c) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)), during such preceding academic year, the quality of such activities, and the average amount of time spent, per student, engaged in such activities;

(C) for such preceding academic year, the percentage of Federal work-study funds made available to the institution under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) that is used to compensate students employed in providing community services, as so defined, and a description of the efforts the institution undertakes to make available to students opportunities to provide such community services and be compensated through such work-study funds;

(D) at the discretion of the institution, information demonstrating the degree to which recent graduates of the institution, and all graduates of the institution, have obtained full-time public service employment in the nonprofit sector or government, with a private nonprofit organization or a Federal, State, or local public agency; and

(E) any programs the institution has in place to encourage or assist graduates of the institution to pursue careers in public service in the nonprofit sector or government.

(c) NOMINATIONS AND DESIGNATION.—

(1) NOMINATION.—

(A) IN GENERAL.—A State Commission that receives applications from institutions of higher education under subsection (b) may nominate, for designation under subsection (a), not more than 3 such institutions of higher education, consisting of—

(i) not more than one 4-year public institution of higher education;

(ii) not more than one 4-year private institution of higher education; and

(iii) not more than one 2-year institution of higher education.

(B) SUBMISSION.—The State Commission shall submit to the Corporation the name and application of each institution nominated by the State Commission under subparagraph (A).

(2) DESIGNATION.—The Corporation shall designate, under subsection (a), not more than 25 institutions of higher education from among the institutions nominated under paragraph (1). In making the designations, the Corporation shall, if feasible, designate various types of institutions, including institutions from each of the categories of institutions described in clauses (i), (ii), and (iii) of paragraph (1)(A).

(d) AWARDS.—

(1) IN GENERAL.—Using sums appropriated under section 501(a)(1)(C), the Corporation shall provide an award to institutions designated under subsection (c), to be used by the institutions to develop or disseminate service-learning models and best practices regarding service-learning to other institutions of higher education.

(2) PLANS.—To be eligible to receive funds under this subsection, an institution designated under subsection (c) shall submit a plan to the Corporation describing how the institution intends to use the funds to encourage or assist those students to pursue public service careers in the nonprofit sector or government.

(3) ALLOCATION.—The Corporation shall determine how the funds appropriated under section 501(a)(1)(C) for a fiscal year will be allocated among the institutions submitting acceptable plans under paragraph (2). In determining the amount of funds to be allocated to such an institution, the Corporation shall consider the number of students at the institution, and the quality and scope of the plan submitted by the institution under paragraph (2) and the institution's current (as of the date of submission of the plan) strategies to encourage or assist students to pursue public service careers in the nonprofit sector or government.

PART III—INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH

SEC. 120. INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH.

(a) IN GENERAL.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants and

fixed-amount grants (in accordance with section 129(l)) with eligible entities for activities described in subsection (c).

(b) DEFINITIONS.—For purposes of this part, the following definitions apply:

(1) ELIGIBLE ENTITIES.—The term "eligible entity" means a State education agency, a State Commission, a Territory, an Indian tribe, an institution of higher education, or a public or private nonprofit organization (including community-based organizations), a public or private elementary or secondary school, a local educational agency, or a consortia of such entities, where a consortia of two or more such entities may also include a for-profit organization.

(2) YOUTH ENGAGEMENT ZONE.—The term "youth engagement zone" means the area in which a youth engagement zone program is carried out.

(3) YOUTH ENGAGEMENT ZONE PROGRAM.—The term "youth engagement zone program" means a service learning program in which members of an eligible partnership described in paragraph (4) collaborate to provide coordinated school-based or community-based service learning opportunities, to address a specific community challenge, for an increasing percentage of out-of-school youth and secondary school students served by local educational agencies where—

(A) not less than 90 percent of the students participate in service-learning activities as part of the program; or

(B) service-learning is a mandatory part of the curriculum in all of the secondary schools served by the local educational agency.

(4) ELIGIBLE PARTNERSHIP.—

(A) IN GENERAL.—The term "eligible partnership" means—

(i) one or more community-based agencies that have demonstrated records of success in carrying out service-learning programs with disadvantaged students, and that meet such criteria as the Chief Executive Officer may establish; in combination with;

(ii)(I) one or more local educational agencies for which—

(aa) a high number or percentage of the students served by the agency, as determined by the Corporation, are disadvantaged students; and

(bb) the graduation rate for the secondary school students served by the agency is less than 70 percent; or

(II) a State Commission; or

(III) a State educational agency.

(B) ADDITIONAL ENTITIES.—An eligible partnership may also include—

(i) a local government agency that is not described in subparagraph (A);

(ii) the office of the chief executive officer of a unit of general local government; or

(iii) an institution of higher education.

(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

(1) integrate service-learning programs into the science, technology, engineering, and mathematics (STEM) curricula at the elementary, secondary, or post-secondary, and post-baccalaureate levels in coordination with practicing or retired STEM professionals;

(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low income housing and in public spaces;

(3) involve students in service-learning projects in emergency and disaster preparedness;

(4) involve students in service-learning projects aimed at improving access to and obtaining benefits from computers and other emerging technologies, including improving such access to individuals with disabilities, in low income or rural communities, in senior centers and communities, in schools, in libraries, and in other public spaces;

(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency disaster preparedness needs in their community;

(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

(7) conduct innovative and creative activities as described in section 111(b);

(8) establish or implement summer of service programs (giving priority to programs that enroll youth in grades 6 through 9) during the summer months, including the cost of recruitment, training, and placement of service-learning coordinators—

(A) for youth who will be enrolled in any grade from grade 6 through grade 12 at the end of the summer concerned;

(B) for community-based service-learning projects that—

(i) shall—

(I) meet unmet human, educational, environmental (including energy conservation and stewardship), emergency and disaster preparedness, and public service needs; and

(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community; and

(ii) may include the extension of academic year service-learning programs into the summer months;

(C) under which any student who completes 100 hours of service in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 138(f), shall be eligible for a summer of service educational award of not more than $500 (or, at the discretion of the Chief Executive Officer, not more than $1,000 in the case of a participant who is economically disadvantaged) from funds deposited

in the National Service Trust and distributed by the Corporation as described in section 148; and

(D) subject to the limitation that a student may not receive more than 2 summer of service educational awards from funds deposited in the National Service Trust;

(9) establish or implement youth engagement zone service learning programs in youth engagement zones for students in secondary school served by local educational agencies where a majority of such students do not participate in service learning activities carried out by eligible partnerships as defined in paragraph (4) that are designed to—

(A) involve all students in secondary school in the local educational agency in service-learning to address a specific community challenge;

(B) improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates in secondary schools;

(C) involve an increasing percentage of students in secondary school and out-of-school youth in the community in school-based or community based service-learning activities each year, with the goal of involving all students in secondary schools served by the local educational agency and involving an increasing percentage of the out-of-school youth in service learning activities; and

(D) encourage participants to engage in service throughout their lives; and

(10) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

(d) PRIORITY.—Priority shall be given to programs that—

(1) involve students and community stakeholders in the design and implementation of the service-learning program;

(2) implement service-learning programs in low-income or rural communities; and

(3) utilize adult volunteers, including tapping the resource of retired and retiring adults, in the planning and implementation of the service-learning programs.

(e) REQUIREMENTS.—

(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

(2) COLLABORATION ENCOURAGED.—Each program funded under this part is encouraged to collaborate with other Learn and Serve programs, AmeriCorps, VISTA, and the National Senior Service Corps.

(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

(f) MATCHING FUNDS.—

(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant (that is not a fixed-amount grant as described in section 129(l)) is made under this part may not exceed 75 percent of the total cost of the program in the first year of the grant and 50 percent of the total cost of the program in the remaining years of the grant, including if the grant is extended for a fourth year.

(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

(B) may provide for such share through State sources or local sources, including private funds or donated services.

(3) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such action would be equitable due to lack of resources at the local level.

(g) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

Subtitle C—National Service Trust Program

PART I—INVESTMENT IN NATIONAL SERVICE

SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

(a) PROVISION OF ASSISTANCE.—Subject to the availability of appropriations for this purpose, the Corporation for National and Community Service may make grants to States, subdivisions of States, *Territories,* Indian tribes, public or private nonprofit organizations, and institutions of higher education for the purpose of assisting the recipients of the grants—

(1) * * *

* * * * * * *

(b) [AGREEMENTS WITH FEDERAL AGENCIES] *RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES.*—

(1) AGREEMENTS AUTHORIZED.—The Corporation may enter into [a contract or cooperative agreement] *an interagency agreement other than a grant* with another Federal agency to support a national service program carried out *or otherwise supported* [by the agency. The support provided by the Corporation pursuant to the contract or cooperative agreement may include the transfer to the Federal agency of funds available to the Corporation under this subtitle.] *by the agency, including programs under the Public Lands Corps and Urban Youth Corps as described in section 122(a)(2).*

[(2) MATCHING FUNDS REQUIREMENTS.—A Federal agency receiving assistance under this subsection shall not be required

to satisfy the matching funds requirements specified in subsection (e). However, the supplementation requirements specified in section 173 shall apply with respect to the Federal national service programs supported with such assistance.]

(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency.

(3) CONSULTATION WITH STATE COMMISSIONS.—A Federal agency [receiving assistance under this subsection] *operating a national service program* shall consult with the State Commissions for those States in which projects will be conducted using such assistance in order to ensure that the projects do not duplicate projects conducted by State or local national service programs.

* * * * * * *

(c) PROVISION OF APPROVED NATIONAL SERVICE POSITIONS.—As part of the provision of assistance under subsections (a) and (b), the Corporation shall—

(1) * * *

(2) deposit in the National Service Trust established in section 145(a) an amount equal to the product of—

(A) * * *

(B) the total number of approved national service positions [to be provided] *to be provided or otherwise approved*.

(d) [FIVE] *SIX* PERCENT LIMITATION ON ADMINISTRATIVE COSTS.—

(1) LIMITATION.—Not more than [5 percent] *6 percent* of the amount of assistance provided to the original recipient of a grant or transfer of assistance under subsection (a) or (b) for a fiscal year may be used to pay for administrative costs incurred by—

(A) * * *

* * * * * * *

(e) MATCHING FUNDS REQUIREMENTS.—

(1) REQUIREMENTS.—Except as provided in [section 140] *paragraph (2)*, the [Federal share of the cost] *Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation and other necessary operation costs,* of carrying out a national service program that receives the assistance under subsection (a), whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, [may not exceed 75 percent of such cost.] *may not exceed—*

(A) for the first 3 years in which the recipient receives such assistance, 76 percent of such cost;

(B) for the fourth through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 percent and 50 percent, as established by the Corporation in regulation; and

(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 50 percent of such cost.

(2) ALTERNATIVE CORPORATION SHARE FOR PROGRAMS IN RURAL OR SEVERELY ECONOMICALLY DISTRESSED COMMU-

NITIES.—Upon approval by the Corporation, the Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation, of carrying out a national service program that receives assistance under subsection (a) and that is located in a rural or severely economically distressed community may not exceed—

(A) for the first 6 years in which the recipient receives such assistance, 76 percent of such cost;

(B) for the seventh through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 and 65 percent as established by the Corporation in regulation; and

(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 65 percent of such cost.

[(2)] *(3)* CALCULATION.—In providing for the remaining share of the cost of carrying out a national service program, the program—

(A) * * *

* * * * * * *

[(3) COST OF HEALTH CARE.—In providing a payment in cash under paragraph (2)(A) as part of providing for the remaining share of the cost of carrying out a national service program, the program may count not more than 85 percent of the cost of providing a health care policy described in section 140(d)(2) toward such share.]

* * * * * * *

(5) OTHER FEDERAL FUNDS.—

(A) RECIPIENT REPORT.—A recipient of assistance under section 121 (other than a recipient of assistance of a fixed-amount grant) shall report to the Corporation the amount and source of any Federal funds used to carry out the program other than those provided by the Corporation.

(B) CORPORATION REPORT.—The Corporation shall report to the appropriate committees of Congress on an annual basis information regarding each recipient under subparagraph (A) that uses Federal funds other than those provided by the Corporation to carry out the program, including amounts and sources of other Federal funds.

[SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

[(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—The recipient of a grant under section 121(a) and each Federal agency receiving assistance under section 121(b) shall use the assistance, directly or through subgrants to other entities, to carry out full- or part-time national service programs, including summer programs, that address unmet human, educational, environmental, or public safety needs. Subject to subsection (b)(1), these national service programs may include the following types of national service programs:

[(1) A community corps program that meets unmet human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic back-

grounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders.

[(2) A full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps (including youth corps programs under subtitle I, the Public Lands Corps established under the Public Lands Corps Act of 1993, the Urban Youth Corps established under section 106 of the National and Community Service Trust Act of 1993, and other conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands or Hawaiian home lands), that—

[(A) undertakes meaningful service projects with visible public benefits, including natural resource, urban renovation, or human services projects;

[(B) includes as participants youths and young adults between the ages of 16 and 25, inclusive, including out-of-school youths and other disadvantaged youths (such as youths with limited basic skills, youths in foster care who are becoming too old for foster care, youths of limited-English proficiency, homeless youths, and youths who are individuals with disabilities) who are between those ages; and

[(C) provides those participants who are youths and young adults with—

[(i) crew-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services; and

[(ii) the opportunity to develop citizenship values and skills through service to their community and the United States.

[(3) A program that provides specialized training to individuals in service-learning and places the individuals after such training in positions, including positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I of subtitle B.

[(4) A service program that is targeted at specific unmet human, educational, environmental, or public safety needs and that—

[(A) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

[(B) if consistent with the purposes of the program, brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided.

[(5) An individualized placement program that includes regular group activities, such as leadership training and special service projects.

[(6) A campus-based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

[(A) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

[(B) teams composed of such students; or

[(C) teams composed of a combination of such students and community residents.

[(7) A preprofessional training program in which students enrolled in an institution of higher education—

[(A) receive training in specified fields, which may include classes containing service-learning;

[(B) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

[(C) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training.

[(8) A professional corps program that recruits and places qualified participants in positions—

[(A) as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

[(B) that may include a salary in excess of the maximum living allowance authorized in subsection (a)(3) of section 140, as provided in subsection (c) of such section; and

[(C) that are sponsored by public or private nonprofit employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

[(9) A program in which economically disadvantaged individuals who are between the ages of 16 and 24 years of age, inclusive, are provided with opportunities to perform service that, while enabling such individuals to obtain the education and employment skills necessary to achieve economic self-sufficiency, will help their communities meet—

[(A) the housing needs of low-income families and the homeless; and

[(B) the need for community facilities in low-income areas.

[(10) A national service entrepreneur program that identifies, recruits, and trains gifted young adults of all backgrounds and assists them in designing solutions to community problems.

[(11) An intergenerational program that combines students, out-of-school youths, and older adults as participants to provide needed community services, including an intergenerational component for other national service programs described in this subsection.

[(12) A program that is administered by a combination of nonprofit organizations located in a low-income area, provides a broad range of services to residents of such area, is governed

by a board composed in significant part of low-income individuals, and is intended to provide opportunities for individuals or teams of individuals to engage in community projects in such area that meet unaddressed community and individual needs, including projects that would—

[(A) meet the needs of low-income children and youth aged 18 and younger, such as providing after-school "safe-places", including schools, with opportunities for learning and recreation; or

[(B) be directed to other important unaddressed needs in such area.

[(13) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities and to combat rural poverty, including health care, education, and job training.

[(14) A program that seeks to eliminate hunger in communities and rural areas through service in projects—

[(A) involving food banks, food pantries, and nonprofit organizations that provide food during emergencies;

[(B) involving the gleaning of prepared and unprepared food that would otherwise be discarded as unusable so that the usable portion of such food may be donated to food banks, food pantries, and other nonprofit organizations;

[(C) seeking to address the long-term causes of hunger through education and the delivery of appropriate services; or

[(D) providing training in basic health, nutrition, and life skills necessary to alleviate hunger in communities and rural areas.

[(15) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

[(b) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

[(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

[(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals with extensive experience in developing and administering effective national service programs or regarding the delivery of human, educational, environmental, or public safety services to communities or persons.

[(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

[(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent

with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

[(c) NATIONAL SERVICE PRIORITIES.—

[(1) ESTABLISHMENT.—

[(A) BY CORPORATION.—In order to concentrate national efforts on meeting certain unmet human, educational, environmental, or public safety needs and to achieve the other purposes of this Act, the Corporation shall establish, and after reviewing the strategic plan approved under section 192A(g)(1), periodically alter priorities as appropriate regarding the types of national service programs to be assisted under subsection (b) or (d) of section 129 and the purposes for which such assistance may be used.

[(B) BY STATES.—Consistent with paragraph (4), States shall establish, and through the national service plan process described in section 178(e)(1), periodically alter priorities as appropriate regarding the national service programs to be assisted under section 129(a)(1). The State priorities shall be subject to Corporation review as part of the application process under section 130.

[(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—

[(A) a description of any alteration made in the priorities since the previous notice; and

[(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

[(3) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

[(A) receive funding under this subtitle for multiple years; and

[(B) would be adversely affected by annual revisions in such national service priorities.

[(4) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.]

SEC. 122. NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

(a) REQUIRED NATIONAL SERVICE CORPS.—The recipient of a grant under section 121(a) and each Federal agency operating or supporting a national service program under section 121(b) shall, directly or through grants or subgrants to other entities, carry out or support the following national service corps, as full- or part-time corps, including during the summer months, to address unmet educational, health, veteran, or environmental needs:

(1) EDUCATION CORPS.—An Education Corps that identifies unmet educational needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

(A) ACTIVITIES.—An Education Corps described in this paragraph may carry out activities such as—

(i) tutoring, or providing other academic support to students;

(ii) full-time classroom instruction;

(iii) mentoring students, including adult or peer mentoring;

(iv) linking needed integrated services and comprehensive supports with students, their families, and their public schools;

(v) improving school climate;

(vi) providing assistance to a school in expanding the school day by strengthening the quality of staff and expanding the academic programming offered in an expanded learning time initiative, a program of a 21st century community learning center (as defined in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171)), or a high-quality after-school program, such as through recruiting, placing, training and supporting a full-time corps of Fellows who are graduates of 4-year institutions of higher education or 2-year institutions of higher education with a certificate or degree in youth development to administer the initiative or program at high-need school;

(vii) assisting schools and local educational agencies in improving and expanding high-quality service-learning programs that keep students engaged in schools by providing service-learning coordinators;

(viii) assisting students in being prepared for college-level work;

(ix) involving family members of students in supporting teachers and students;

(x) conducting a pre-professional training program in which students enrolled in an institution of higher education—

(I) receive training in specified fields, which may include classes containing service-learning, including early childhood education, elementary and secondary education and other professions such as those in health care, criminal justice, environmental stewardship and conservation or public safety;

(II) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

(III) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training;

(xi) A campus-based program that is designed to provide substantial service in a community during the

school term and during summer or other vacation periods through the use of—

(I) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

(II) teams composed of such students;

(III) teams composed of a combination of such students and community residents; or

(IV) students participating in service-learning programs at an institution of higher education;

(xii) a program that provides specialized training to individuals in service-learning and places the individuals after such training in positions, including positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I of subtitle B;

(xiii) providing education or job training services that are designed to meet the needs of rural communities; and

(xiv) other activities addressing unmet educational needs as the Corporation may designate.

(B) EDUCATION CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

(i) student engagement, including student attendance and student behavior;

(ii) student academic achievement;

(iii) high school graduation rates;

(iv) rate of college enrollment and continued college enrollment for recipients of a high school diploma;

(v) an additional indicator relating to improving education for students that the Corporation, in consultation with the Secretary of Education, establishes for a given year;

(vi) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving education for students, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

(vii) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

(2) HEALTHY FUTURES CORPS.—A Healthy Futures Corps that identifies unmet health needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

(A) ACTIVITIES.—A Healthy Futures Corps described in this paragraph may carry out activities such as—

(i) assisting economically disadvantaged individuals in navigating the health care system;

(ii) assisting individuals in obtaining access to health care for themselves or their children;

(iii) educating economically disadvantaged individuals and individuals who are members of medically underserved populations about, and engaging individuals described in this clause in, initiatives regarding navigating the health care system and regarding disease prevention and health promotion, with a particular focus on common health conditions, chronic diseases, and conditions, for which disease prevention and health promotion measures exist and for which socioeconomic, geographic, and racial and ethnic health disparities exist;

(iv) improving health literacy of patients;

(v) providing translation services at clinics and in emergency rooms to improve health care;

(vi) providing services designed to meet the needs of rural communities;

(vii) assisting in health promotion interventions that improve health status, and helping people adopt and maintain healthy lifestyles and habits to improve health status; and

(viii) other activities addressing unmet health needs as the Corporation may designate.

(B) HEALTHY FUTURES CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

(i) access to health care among economically disadvantaged individuals and individuals who are members of medically underserved populations;

(ii) access to health care for uninsured individuals, including such individuals who are economically disadvantaged children;

(iii) participation, among economically disadvantaged individuals and individuals who are members of medically underserved populations, in disease prevention and health promotion initiatives, particularly those with a focus on addressing common health conditions, addressing chronic diseases, and decreasing health disparities;

(iv) health literacy of patients;

(v) an additional indicator, relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that the Corporation, in consultation with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, establishes for a given year;

(vi) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

(vii) any additional local indicator (applicable to a particular eligible entity and on which an improvement

in performance is needed) that is approved by the Corporation.

(3) CLEAN ENERGY CORPS.—A Clean Energy Corps that identifies unmet environmental needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

(A) ACTIVITIES.—A Clean Energy Corps described in this paragraph may carry out activities such as—

(i) weatherizing and retrofitting housing units for low-income households to significantly improve the energy efficiency and reduce carbon emissions of such housing units;

(ii) building energy efficient housing units in low-income communities;

(iii) conducting energy audits for low-income households and recommending ways for the households to improve energy efficiency;

(iv) the enhancement of renewable energy production by facilitating the installation or repair of renewable energy technologies;

(v) assisting in emergency operations, such as disaster prevention and relief;

(vi) the repair, renovation, or rehabilitation of an existing infrastructure facility including, but not limited to, rail, mass transportation, ports, inland navigation, schools and hospitals;

(vii) working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment, including conducting service-learning projects to provide such education;

(viii) assisting in the development of local recycling programs;

(ix) improving national and State parks, city parks, county parks, forest preserves, and trails owned or maintained by the Federal Government or a State, including planting trees, carrying out reforestation, and making trail enhancements;

(x) cleaning and improving rivers maintained by the Federal Government or a State;

(xi) full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps (including youth corps programs under subtitle I, the Public Lands Corps established under the Public Lands Corps Act of 1993, the Urban Youth Corps established under section 106 of the National and Community Service Trust Act of 1993, and other conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands or Hawaiian home lands), that—

(I) undertakes meaningful service projects with visible public benefits, including projects involving

urban renewal, sustaining natural resources, or improving human services;

(II) includes as participants youths and young adults between the ages of 16 and 25, inclusive, and at least 50 percent of whom are out-of-school youths and other disadvantaged youths (such as youths with limited basic skills, youths in foster care who are becoming too old for foster care, youths of limited-English proficiency, homeless youths, youths who are individuals with disabilities), and youths who are economically disadvantaged who are between those ages; and

(III) provides those participants who are youths and young adults with—

(aa) crew-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services including mentoring; and

(bb) the opportunity to develop citizenship values and skills through service to their community and the United States;

(xii) projects designed to renew and rehabilitate National Park resources and enhance services and learning opportunities for National Park visitors, communities, and schools; and

(xiii) other activities addressing unmet environmental needs as the Corporation may designate.

(B) CLEAN ENERGY CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

(i) the number of housing units of low-income households weatherized or retrofitted to significantly improve energy efficiency and reduce carbon emissions;

(ii) annual energy costs (to determine savings in those costs) at facilities where participants have provided service;

(iii) the number of students and youth receiving education or training in energy-efficient and environmentally conscious practices;

(iv) the number of national parks, State parks, city parks, county parks, forest preserves, or trails or rivers owned or maintained by the Federal Government or a State, that are cleaned or improved;

(v) another indicator relating to clean energy that the Corporation, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy and the Department of Interior, as appropriate, establishes for a given year;

(vi) another indicator relating to education or skill attainment for clean energy jobs that the Corporation, in consultation with the Secretary of Labor, establishes for a given year;

(vii) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to clean energy, or education

or skill attainment for clean energy jobs, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

(viii) any additional local indicator (applicable to a particular eligible entity and on which improvement in performance is needed) that is approved by the Corporation.

(4) VETERANS' CORPS.—A Veterans' Corps that identifies unmet needs of veterans through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

(A) ACTIVITIES.—A Veterans' Corps described in this paragraph may carry out activities such as—

(i) promoting community-based efforts to meet the unique needs of military families while a family member is deployed and upon that family member's return home;

(ii) recruiting veterans, particularly returning veterans, into service opportunities;

(iii) working to assist veterans in developing their educational opportunities, including opportunities for professional certification;

(iv) promoting efforts within the community to serve the needs of veterans and active duty military members;

(v) assisting veterans in developing mentoring relationships with economically disadvantaged students;

(vi) developing projects to assist disabled, unemployed, and older veterans; and

(vii) other activities addressing unmet veterans' needs as the Corporation may designate.

(B) VETERANS' CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

(i) the number of housing units created for veterans;

(ii) the number of veterans who pursue educational opportunities;

(iii) the number of veterans receiving professional certification;

(iv) outreach efforts to service organizations serving the needs to veterans;

(v) the number of veterans engaged in service opportunities;

(vi) the number of military families assisted by organizations while the family member is deployed and when the family member returns from deployment;

(vii) the number of economically disadvantaged students engaged in mentoring relationships with veterans;

(viii) projects designed to meet identifiable public needs with a specific emphasis on projects in support of veterans, especially disabled and older veterans;

(ix) another indicator relating to education or skill attainment that assists in providing veterans with the

skills to address identifiable public needs, that is approved by the Corporation;

(x) other additional indicators that improve the lives of veterans and families of individuals deployed in service, that the Corporation, in consultation with the Department of Veterans Affairs, establishes for a given year; and

(xi) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

(b) ELIGIBLE OPPORTUNITY CORPS PROGRAMS.—The recipient of a grant under section 121(a) and each Federal agency operating or supporting a national service program under section 121(b) shall, directly or through grants or subgrants to other entities, carry out or support full-or part-time national service programs, including summer programs, to address unmet community needs.

(1) ELIGIBLE PROGRAMS.—National service programs under this subsection shall be known as "Opportunity Corps" and may include the following types of national service programs:

(A) A community corps program that meets unmet human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders.

(B) A professional corps program that recruits and places qualified participants in positions—

(i) such as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

(ii) that may include a salary in excess of the maximum living allowance authorized in subsection (a)(3) of section 140, as provided in subsection (c) of such section; and

(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

(C) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities, including the issues of rural poverty, health care, education, and job training.

(D) A program that seeks to eliminate hunger in communities and rural areas through service in projects—

(i) involving food banks, food pantries, and nonprofit organizations that provide food during emergencies;

(ii) involving the gleaning of prepared and unprepared food that would otherwise be discarded as unusable so that the usable portion of such food may be do-

nated to food banks, food pantries, and other nonprofit organizations;

(iii) seeking to address the long-term causes of hunger through education and the delivery of appropriate services; or

(iv) providing training in basic health, nutrition, and life skills necessary to alleviate hunger in communities and rural areas.

(E) An E-Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs which seek to increase access to technology and the benefits thereof in such community.

(F) A program that engages citizens in public safety, public health, and emergency and disaster preparedness, and may include the recruitment and placing of qualified participants in positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers, and may engage Federal, State, and local stakeholders in collaboration to organize more effective responses to issues of public safety and public health, emergencies, and disasters.

(G) A program, initiative, or partnership that seeks to expand the number of mentors for youths (including by recruiting high-school and college-aged individuals to enter into mentoring relationships), including mentors for disadvantaged youths, either through provision of direct mentoring services, provision of supportive services to direct mentoring service organizations (in the case of a partnership), or through the creative utilization of current and emerging technologies to connect youth with mentors.

(H) A program that has the primary purpose of re-engaging court-involved youth and adults with the goal of reducing recidivism.

(I) Programs to support the needs of veterans or active duty service members and their families, including providing opportunities to participate in service projects.

(J) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

(2) OPPORTUNITY CORPS INDICATORS.—The corps indicators for programs under this subsection are—

(A) financial literacy among economically disadvantaged individuals;

(B) housing units built or improved for economically disadvantaged individuals or low-income families;

(C) economically disadvantaged individuals with access to job training and other skill enhancement;

(D) economically disadvantaged individuals with access to information about job placement services;

(E) a reduced crime rate in the community where service is provided;

(F) established or improved access to technology in the community where service is provided;

(G) mentor relationships among disadvantaged youth;

(H) food security among economically disadvantaged individuals;

(I) service opportunities through the programs described in subparagraphs (A), (B), and (F) for economically disadvantaged individuals;

(J) an additional indicator relating to improving economic opportunity for economically disadvantaged individuals that the Corporation, in consultation with the Secretary of Health and Human Services, the Secretary of Labor, and the Attorney General, establishes for a given year;

(K) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving economic opportunity for economically disadvantaged individuals, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section;

(L) increase capacity of local nonprofit organizations to meet the needs of disadvantaged people and communities;

(M) any additional indicator proposed by a Governor or State Commission that is approved by the Corporation; and

(N) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

(c) PRIORITIES FOR CERTAIN REQUIRED CORPS.—In awarding financial assistance and approved national service positions to eligible entities proposed to carry out the required corps described in subsection (a)—

(1) in the case of a corps described in subsection (a)(2)—

(A) the Corporation may give priority to such eligible entities that propose to develop policies to provide, and provide, support for participants who, after completing service under this section, will undertake careers to improve performance on health indicators; and

(B) the Corporation shall give priority to such eligible entities that propose to carry out national service programs in medically underserved areas (as designated by the Secretary of Health and Human Services as an area with a shortage of personal health services); and

(2) in the case of a corps described in subsection (a)(3), the Corporation shall give priority to such eligible entities that propose to recruit individuals for the Clean Energy Corps so that significant percentages of participants in the Corps are economically disadvantaged individuals, and provide to such individuals support services and education and training to develop skills needed for clean energy jobs for which there is current demand or projected future demand.

(d) CONSULTATION ON PERFORMANCE INDICATORS.—The Corporation shall consult with the Secretaries of Education, Health and Human Services, Energy, Veterans Affairs, Department of Interior, the Administrator of the Environmental Protection Agency, and the Attorney General, as appropriate, in developing additional performance indicators for the corps and programs described in subsections (a) and (b).

(e) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals with extensive experience in developing and administering effective national service programs or regarding the delivery of human, educational, environmental, or public safety services to communities or persons.

(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, disadvantaged youth, and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

(f) NATIONAL SERVICE PRIORITIES.—

(1) ESTABLISHMENT.—

(A) BY CORPORATION.—In order to concentrate national efforts on meeting certain human, educational, environmental, or veterans' needs and to achieve the other purposes of this Act, the Corporation, consistent with the strategic plan approved under section 192A(g)(1), shall establish (and may periodically alter) priorities regarding the types of national service programs and corps to be assisted under section 129 and the purposes for which such assistance may be used. In establishing such priorities, the Corporation—

(i) shall select 2 or more of the corps described in subsection (a) to receive assistance under section 129(d); and

(ii) may select other programs described in subsection (b) to receive assistance under such section.

(B) BY STATES.—Consistent with paragraph (4), States shall establish, and through the national service plan process described in section 178(e)(1), periodically alter priorities as appropriate regarding the national service programs to be assisted under section 129(d) and 129(e). The State priorities shall be subject to Corporation review as part of the application process under section 130.

(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—

(A) a description of any alteration made in the priorities since the previous notice; and

(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

(3) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

(A) receive funding under this subtitle for multiple years; and

(B) would be adversely affected by annual revisions in such national service priorities.

(4) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

(g) REQUIREMENTS FOR TUTORS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

(A) either—

(i) obtained their high school diploma; or

(ii) passed a proficiency test demonstrating that such individuals have the skills necessary to achieve program goals; and

(B) have successfully completed pre- and in-service training for tutors.

(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

(h) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

(2) offer high quality, research-based pre- and in-service training for tutors.

(i) CITIZENSHIP TRAINING.—The Corporation shall establish requirements for recipients of assistance under the national service laws relating to the promotion of citizenship and civic engagement, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based and are appropriate to the age, education, and experience of the participants enrolled in approved national service positions and approved summer of service positions.

(j) REPORT.—Not later than 60 days after the end of each fiscal year for which the Corporation makes grants under section 121(a), the Corporation shall prepare and submit to the appropriate committees of Congress a report containing—

(1) information describing how the Corporation allocated financial assistance and approved national service positions among eligible entities proposed to carry out national service corps described in that subsection (a) for that fiscal year; and

(2) information describing the amount of financial assistance and the number of approved national service positions the Corporation provided to each national service corps described in subsection (a) for that fiscal year;

(3) a measure of the extent to which the national service corps improved performance on the corresponding indicators; and

(4) information describing how the Corporation is coordinating—

(A) the national service corps funded under subsection (a); with

(B) applicable programs, as determined by the Corporation, carried out under subtitles B of this title, and part A of title I and parts A and B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001, 5011) that improve performance on those indicators or otherwise address identified community needs.

SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR APPROVAL FOR NATIONAL SERVICE EDUCATIONAL AWARDS.

The Corporation may approve of any of the following service positions as an approved national service position that includes the national service educational award described in subtitle D as one of the benefits to be provided for successful service in the position:

(1) * * *

(2) A position for a participant in a program that—

(A) is carried out by a State, a subdivision of a State, *a Territory,* an Indian tribe, a public or private nonprofit organization, an institution of higher education, or a Federal agency; and

* * * * * * *

(5) A position for a participant in the *National* Civilian Community Corps under subtitle E.

* * * * * * *

[SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.

[(a) TRAINING PROGRAMS.—The Corporation may conduct, directly or by grant or contract, appropriate training programs regarding national service in order to—

[(1) improve the ability of national service programs assisted under section 121 to meet human, educational, environmental, or public safety needs in communities—

[(A) where services are needed most; and

[(B) where programs do not exist, or are too limited to meet community needs, as of the date on which the Corporation makes the grant or enters into the contract;

[(2) promote leadership development in such programs;

[(3) improve the instructional and programmatic quality of such programs to build an ethic of civic responsibility;

[(4) develop the management and budgetary skills of program operators;

[(5) provide for or improve the training provided to the participants in such programs; and

[(6) encourage national service programs to adhere to risk management procedures, including the training of participants in appropriate risk management practices.

[(b) TECHNICAL ASSISTANCE.—To the extent appropriate and necessary, the Corporation shall make technical assistance available to States, Indian tribes, labor organizations, organizations operated by young adults, organizations serving economically disadvantaged individuals, and other entities described in section 121 that desire—

[(1) to develop national service programs; or

[(2) to apply for assistance under such section or under a grant program conducted using assistance provided under such section.]

SEC. 126. OTHER SPECIAL ASSISTANCE.

(a) SUPPORT FOR STATE COMMISSIONS.—

(1) GRANTS AUTHORIZED.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriation in section 501(a)(4), the Corporation may make a grant in an amount between [$125,000 and $750,000] *$250,000 and $1,000,000* to a State to assist the State to establish or operate the State Commission on National and Community Service required to be established by the State under section 178.

[(2) LIMITATION ON AMOUNT OF GRANTS.—Notwithstanding the amounts specified in paragraph (1), the amount of a grant that may be provided to a State Commission under this subsection, together with other Federal funds available to establish or operate the State Commission, may not exceed—

[(A) 85 percent of the total cost to establish or operate the State Commission for the first year for which the State Commission receives assistance under this subsection; and

[(B) such smaller percentage of such cost as the Corporation may establish for the second, third, and fourth years of such assistance in order to ensure that the Federal share does not exceed 50 percent of such costs for the fifth year, and any subsequent year, for which the State Commission receives assistance under this subsection.]

(2) MATCHING REQUIREMENT.—In making grants to a State under this subsection, the Corporation shall require the State to provide matching funds of $1 from non-Federal sources for every $1 provided by the Corporation.

(3) ALTERNATIVE.—Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to use an alternative match as follows:

(A) FIRST $100,000.—For the first $100,000 of grant amounts provided by the Corporation, a State shall not be required to provide matching funds.

(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not exceeding

$200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $2 provided by the Corporation.

(C) AMOUNTS GREATER THAN $200,000.—For grant amounts of more than $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $1 provided by the Corporation.

(D) RESERVATION OF FUNDS.—The corporation shall ensure that it reserves funds for assistance provided under section 126(a) at an aggregate amount equal to that of at least 150 percent allocated in fiscal year 2004 for the first full fiscal year after the date of enactment of the GIVE Act. Each subsequent year the corporation shall increase the amount reserved proportionately including minimum and maximum amounts described in paragraph (1) to the amount of program funding allocated in subtitle C.

(b) DISASTER SERVICE.—The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), to involve in disaster relief efforts youth corps programs described in section 122(a)(2) and other programs that receive assistance under the national service laws**[**.**]** *and to support, including through mission-assignments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5147), nonprofit organizations and public agencies responding to the needs of communities in disasters.*

(c) CHALLENGE GRANTS FOR NATIONAL SERVICE PROGRAMS.—

(1) ASSISTANCE AUTHORIZED.—The Corporation may make challenge grants under this subsection **[**to national service programs that receive assistance under section 121**]** *to programs supported under the national service laws.*

* * * * * * *

[(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide not more than $1 of assistance under this subsection for each $1 in cash raised by the national service program from private sources in excess of amounts required to be provided by the program to satisfy matching funds requirements under section 121(e). The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.**]**

(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, grants under this subsection may provide not more than $1 of assistance for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds as matching funds if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that

may be provided to a national service program under this subsection.

PART II—APPLICATION AND APPROVAL PROCESS

[SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS BY COMPETITIVE AND OTHER MEANS.

[(a) ALLOTMENTS OF ASSISTANCE AND APPROVED POSITIONS TO STATES AND INDIAN TRIBES.—

[(1) 33⅓PERCENT ALLOTMENT OF ASSISTANCE TO CERTAIN STATES.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall make a grant under section 121(a) (and a corresponding allotment of approved national service positions) to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that has an application approved by the Corporation under section 133. The amount allotted as a grant to each such State under this paragraph for a fiscal year shall be equal to the amount that bears the same ratio to 33⅓ percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

[(2) ONE PERCENT ALLOTMENT FOR CERTAIN TERRITORIES AND POSSESSIONS.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall reserve 1 percent of the allocated funds for grants under section 121(a) to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval of an application by the Corporation under section 133. Palau shall also be eligible for a grant under this paragraph from the allotment until such time as the Compact of Free Association with Palau is ratified. The amount allotted as a grant to each such territory or possession under this paragraph for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the territory or possession bears to the total population of such territories and possessions.

[(3) ONE PERCENT ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall reserve 1 percent of the allocated funds for grants under section 121(a) to Indian tribes, to be allotted by the Corporation on a competitive basis in accordance with their respective needs.

[(4) EFFECT OF FAILURE TO APPLY.—If a State or Indian tribe fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this subsection, the Corporation shall use the amount that would have been allotted under this subsection to the State or Indian tribe—

[(A) to make grants (and provide approved national service positions in connection with such grants) to other

eligible entities under section 121 that propose to carry out national service programs in the State or on behalf of the Indian tribe; and

[(B) after making grants under subparagraph (A), to make a reallotment to other States and Indian tribes with approved applications under section 130.

[(b) RESERVATION OF APPROVED POSITIONS.—The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the Civilian Community Corps Demonstration Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (a) and (d) for that fiscal year.

[(c) RESERVATION FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriation in section 501(a)(2), and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under sections 125 and 126. The Corporation may not reserve more than $10,000,000 for a fiscal year for disaster service under subsection (b) of section 126 or challenge grants under subsection (c) of such section.

[(d) COMPETITIVE DISTRIBUTION OF REMAINING FUNDS.—

[(1) STATE COMPETITION.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall use not less than 33⅓ percent of the allocated funds to make grants to States on a competitive basis under section 121(a).

[(2) FEDERAL AGENCIES AND OTHER APPLICANTS.—The Corporation shall distribute on a competitive basis to subdivisions of States, Indian tribes, public or private nonprofit organizations (including labor organizations), institutions of higher education, and Federal agencies the remainder of the funds allocated by the Corporation for provision of assistance under section 121 for a fiscal year, after operation of paragraph (1) and subsections (a) and (c).

[(3) LIMITATION ON DISTRIBUTION TO FEDERAL AGENCIES.—The Corporation may not provide more than ⅓ of the funds available for competitive distribution under paragraph (2) for a fiscal year to Federal agencies under section 121(b).

[(4) PRIORITY LIMITATIONS.—The Corporation may limit the categories of eligible applicants for assistance under paragraph (2) consistent with the priorities established by the Corporation under section 133(d)(2).

[(5) RESERVATION OF FUNDS FOR SUPPLEMENTAL AND OUTREACH GRANTS.—

[(A) RESERVATION.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriation in section 501(a)(2), and subject to the limitation in such section, the Chief Executive Officer shall reserve an

amount that is not less than 1 percent of such amounts (except that the amount reserved may not exceed $5,000,000), in order to make supplemental grants as provided in subparagraph (B) and outreach grants as provided in subparagraph (C). The amount reserved pursuant to this paragraph shall be available until expended.

[(B) GRANTS TO ASSIST ENTITIES IN PLACING APPLICANTS WHO ARE INDIVIDUALS WITH A DISABILITY.—

[(i) IN GENERAL.—The Chief Executive Officer shall make grants from a portion of the funds reserved under subparagraph (A) to entities that—

[(I) receive a grant to carry out a national service program under paragraph (1) or (2);

[(II) demonstrate that the entity has received a substantial number of applications for placement in the national service program of persons who are individuals with a disability and who require a reasonable accommodation (as defined in section 101(9) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(9))), or auxiliary aids and services (as defined in section 3(1) of such Act (42 U.S.C. 12102(1))), in order to perform national service; and

[(III) demonstrate that additional funding would assist the national service program in placing a substantial number of such individuals with a disability as participants in projects carried out through the program.

[(ii) REQUIREMENTS.—Funds made available through such a supplemental grant under clause (i) shall be made available for the same purposes, and subject to the same requirements, as funds made available through a grant made under paragraph (1) or (2).

[(C) GRANTS FOR OUTREACH TO INDIVIDUALS WITH A DISABILITY.—

[(i) IN GENERAL.—From the portion of the funds reserved under subparagraph (A) that is not used to make grants under subparagraph (B), the Chief Executive Officer shall make grants to public or private nonprofit organizations to pay for the Federal share described in section 121(e) of—

[(I) providing information about the programs specified in section 193A(d)(10) to such individuals with a disability who desire to perform national service; and

[(II) enabling the individuals to participate in activities carried out through such programs, which may include assisting the placement of the individuals in approved national service positions.

[(ii) APPLICATION.—To be eligible to receive a grant under this subparagraph, an organization described in clause (i) shall submit an application to the Chief Executive Officer at such time, in such manner, and con-

taining such information as the Chief Executive Officer may require.

[(e) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a State or Indian tribe under subsection (a), and the competitive distribution of assistance under subsection (d), shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130 and approved by the Corporation under section 133.

[(f) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

[(g) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

[(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

[(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) and any other funds contributed to the Corporation to support the activities of the Corporation under the national service laws shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.]

SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

(a) 1-PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The amount allotted as a grant to each such Territory under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the Territory bears to the total population of such Territories.

(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes, including nonprofit organizations applying on behalf of a tribe or tribes, to be allotted by the Corporation on a competitive basis. In the case of a nonprofit organization applying

on behalf of a tribe or tribes such nonprofit organization shall include in its application—

(1) written documentation from such tribe or tribes that such tribe or tribes has approved the application and authorized such nonprofit organization to submit an application on the behalf of the tribe or tribes; and

(2) certification that the nonprofit organization will use the grant exclusively to serve members of such tribe or tribes and will, to the maximum extent practicable, do so on tribal lands.

(c) RESERVATION OF APPROVED POSITIONS.—The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the Civilian Community Corps Demonstration Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (d) and (e) for that fiscal year.

(d) ALLOTMENT FOR COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year and subject to section 133(d)(3), the Corporation shall reserve up to 62.7 percent for grants awarded on a competitive basis to States for national service programs and to nonprofit organizations seeking to operate a national service program in 2 or more States.

(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

(2) ALLOTMENTS.—The amount allotted as a grant to each such State under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 35.3 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year must be at least $600,000, or 0.5 percent of the amount allocated for the State formula under this section, whichever is greater.

(f) EFFECT OF FAILURE TO APPLY.—If a State or Territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or Territory to—

(1) make grants (and provide approved national service positions in connection with such grants) to other community-based

organizations under section 121 that propose to carry out national service programs in such State or Territory; and

(2) make a reallotment to other States or Territories with approved applications submitted under section 130, to the extent community-based organizations do not apply as described in paragraph (1).

(g) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a recipient under this section shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130.

(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

(i) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under section 126.

(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—

(1) RESERVATION.—To make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose, and subject to the limitation in paragraph (2), the Chief Executive Officer shall reserve not less than 1 percent from the amount allocated to carry out program grants under the national service laws.

(2) LIMITATION.—The amount reserved in paragraph (1) may not exceed $10,000,000.

(3) REMAINDER.—After making grants under subsection (k), excess funds may be used by the Chief Executive Officer for other activities under section 501(a)(2).

(l) AUTHORITY FOR FIXED-AMOUNT GRANTS.—

(1) IN GENERAL.—

(A) AUTHORITY.—From amounts appropriated for a fiscal year to provide financial assistance under the national service laws, the Corporation, subject to the limitation in subparagraph (B) may provide assistance in the form of fixed-amount grants in an amount determined by the Corporation under paragraph (2) rather than on the basis of actual costs incurred by a program.

(B) LIMITATION.—Other than fixed-amount grants to support programs described in section 129A, for the 1-year period beginning on the date of enactment of the GIVE Act, the Corporation may provide assistance in the form of fixed-amount grants only to support full-time positions.

(2) DETERMINATION OF AMOUNT OF FIXED-AMOUNT GRANTS.—A fixed-amount grant authorized by this subsection shall be in an amount determined by the Corporation that is—

(A) significantly less than the reasonable and necessary costs of administering the program receiving the grant; and

(B) based on the amount per individual enrolled in the program receiving the grant, taking into account—

(i) the program's capacity to manage funds and achieve programmatic results;

(ii) the number of national service positions approved for the program;

(iii) the proposed design of the program;

(iv) whether the program provides service to or involves the participation of disadvantaged youth or otherwise would reasonably incur a relatively higher level of costs; and

(v) such other factors as the Corporation may consider under section 133 in considering applications for assistance.

(3) REQUIREMENTS FOR GRANT RECIPIENTS.—In awarding a fixed-amount grant under this subsection, the Corporation—

(A) shall require the grant recipient—

(i) to return a pro rata amount of the grant funds based upon the difference between the number of hours served by a participant and the minimum number of hours for completion of a term of service (as established by the Corporation);

(ii) to report on standardized and other performance measures established by the Corporation;

(iii) to cooperate with any evaluation activities undertaken by the Corporation; and

(iv) to provide assurances that additional funds shall be raised in support of the proposed program, in addition to those received under the national service laws; and

(B) may adopt other terms and conditions as it considers necessary or appropriate based on the relative risks (as de-

termined by the Corporation) associated with any application for a fixed-amount grant.

(4) OTHER REQUIREMENTS NOT APPLICABLE.—Limitations on administrative costs and matching fund documentation requirements shall not apply to fixed-amount grants provided in accordance with this subsection.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall relieve a grant recipient of the responsibility to comply with the requirements of the Single Audit Act (31 U.S.C. 7501 et seq.) or other requirements of Office of Management and Budget Circular A–133.

SEC. 129A. EDUCATION AWARDS ONLY PROGRAM.

(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed-amount grants (in accordance with section 129(l)), provide operational assistance to programs that receive approved national service positions but do not receive funds under section 121(a).

(b) LIMIT ON CORPORATION GRANT FUNDS.—Operational support under this section may not exceed $600 per individual enrolled in an approved national service position and may reach $800 per individual if the program supports at least 50 percent disadvantaged youth.

(c) ADJUSTMENTS FOR INFLATION.— For each year after 2008, the amounts specified in subsection (b) shall be adjusted for inflation as measured by the Consumer Price Index for all Urban Consumers published by the Secretary of Labor.

(d) INAPPLICABLE PROVISIONS.—The provisions under section 129(l)(4) and the living allowances and other benefits under sections 131(e) and section 140 (other than individualized support services for disabled members under section 140(f)) shall not apply to programs that receive assistance under this section.

SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

(a) TIME, MANNER, AND CONTENT OF APPLICATION.—To be eligible to receive assistance under section 121 or approved national service positions for participants who serve in the national service programs to be carried out using the assistance, a State, *Territory,* subdivision of a State, Indian tribe, public or private nonprofit organization, ⟦institution of higher education, or Federal agency⟧ *or institution of higher education* shall prepare and submit to the Corporation an application at such time, in such manner, and containing such information as the Corporation may reasonably require.

(b) TYPES OF PERMISSIBLE APPLICATION INFORMATION.—In order to have adequate information upon which to consider an application under section 133, the Corporation may require the following information to be provided in an application submitted under subsection (a):

(1) * * *

* * * * * * *

(9) A description of the manner and extent to which the national service programs referred to in paragraphs (1) and (2)

conform to the national service priorities established by the Corporation under [section 122(c)] *section 122(f)*.

* * * * * * *

(12) A description of the manner and extent to which participants, representatives of the community served, community-based agencies with a demonstrated record of experience in providing services, *municipalities and county governments in the areas being served,* and labor organizations contributed to the development of the national service programs referred to in paragraphs (1) and (2), including the identity of the individual representing each appropriate labor organization (if any) who was consulted and the nature of the consultation.

* * * * * * *

(c) REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) shall contain the following information:

(1) A description of the [jobs or positions] *proposed positions* into which participants will be placed using the assistance provided under section 121[, including descriptions of specific tasks to be performed by such participants.].

(2) A description of the *proposed* minimum qualifications that individuals shall meet to become participants in such programs.

(3) In the case of a nonprofit organization operating programs in 2 or more States, a description of the manner and extent to which the State Commissions of each State in which the nonprofit organization intends to operate were consulted and the nature of the consultation.

(d) ADDITIONAL REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) for programs described in 122(a) shall also contain—

(1) measurable goals, to be used for annual measurements of the program on 1 or more of the corresponding performance indicators;

(2) information describing how the applicant proposes to utilize funds to improve performance on the corresponding performance indicators utilizing participants, including the activities in which such participants will engage to improve performance on those indicators;

(3) information identifying the geographical area in which the eligible entity proposed to carry out the program proposes to use funds to improve performance on the corresponding performance indicators including demographic information on the students or individuals, as appropriate, in such area, and statistics demonstrating the need to improve such indicators in such area; and

(4) if applicable, information on how the eligible entity will work with other community-based agencies to carry out activities to improve performance on the corresponding performance indicators using such funds.

[(d)] *(e)* APPLICATION TO RECEIVE ONLY APPROVED NATIONAL SERVICE POSITIONS.—

(1) * * *

* * * * * * *

[(e)] *(f)* SPECIAL RULE FOR STATE APPLICANTS.—

(1) * * *

(2) COMPETITIVE SELECTION.—The application of a State shall contain an assurance that all assistance provided under section 121(a) to the State will be used to support national service programs that [were selected] *were or will be selected* by the State on a competitive basis. In making such competitive selections, the State shall seek to ensure the equitable allocation within the State of assistance and approved national service positions provided under this subtitle to the State taking into consideration such factors as the location of the programs applying to the State, population density, and economic distress.

* * * * * * *

[(f)] *(g)* SPECIAL RULE FOR CERTAIN APPLICANTS.—

(1) WRITTEN CONCURRENCE.—In the case of [a program applicant] *an applicant* that proposes to also serve as the service sponsor, the application shall include the written concurrence of any local labor organization representing employees of the service sponsor who are engaged in the same or substantially similar work as that proposed to be carried out.

(2) [PROGRAM APPLICANT] *APPLICANT* DEFINED.—For purposes of this subsection, the term "[program applicant] *applicant*" means—

(A) a State, subdivision of a State, *Territory,* Indian tribe, public or private nonprofit organization, [institution of higher education, or Federal agency] *or institution of higher education* submitting an application under this section; or

(B) an entity applying for assistance or approved national service positions through a grant program conducted using assistance provided to a State, subdivision of a State, *Territory,* Indian tribe, public or private nonprofit organization, [institution of higher education, or Federal agency] *or institution of higher education* under section 121.

[(g)] *(h)* LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—The Corporation shall reject an application submitted under this section if a project proposed to be conducted using assistance requested by the applicant is already described in another application pending before the Corporation[.] *or is already receiving financial assistance from the Corporation.*

SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

(a) * * *

* * * * * * *

(c) CONSULTATION.—An application submitted under section 130 shall also include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

(1) provide in the design, recruitment, and operation of the program for broad-based input from—

[(A) the community served and potential participants in the program; and]

(A) the community served, including, if appropriate, municipal and county governments in the area served, and potential participants in the program;

(B) community-based agencies with a demonstrated record of experience in providing services and local labor organizations representing employees of service sponsors, if these entities exist in the area to be served by the program; *and*

(C) municipalities and county governments in the areas being served;

* * * * * * *

[(3) in the case of a program that is not funded through a State, consult with and coordinate activities with the State Commission for the State in which the program operates.]

(3) in the case of a program that is not funded through a State, including programs operated by nonprofit organizations seeking to operate a national service program in 2 or more States—

(A) consult with and coordinate with the State Commission for the State in which the program operates; and

(B) obtain confirmation from the State Commission that the applicant seeking assistance under this Act has consulted with and coordinated with the State Commission when seeking to operate a program in that State.

* * * * * * *

SEC. 133. CONSIDERATION OF APPLICATIONS.

(a) * * *

(b) APPLICATION TO SUBGRANTS.—

(1) * * *

(2) CONTENTS.—The application of the State or other entity under section 130 shall contain—

(A) * * *

(B) a description of the [jobs or] positions into which participants will be placed using such assistance, including descriptions of specific tasks to be performed by such participants; and

* * * * * * *

(c) ASSISTANCE CRITERIA.—The criteria required to be applied in evaluating applications submitted under section 130 are as follows:

(1) * * *

* * * * * * *

(6) The extent to which projects would be conducted in the following areas where they are needed most:

(A) * * *

* * * * * * *

(F) Areas that have a mortgage foreclosure rate greater than the national average mortgage foreclosure rate for the

most recent 12 months for which satisfactory data are available.

* * * * * * *

(d) OTHER CONSIDERATIONS.—

(1) * * *

(2) PRIORITIES.—The Corporation may designate, under such criteria as may be established by the Corporation, certain national service programs or types of national service programs described in section 122(a) for priority consideration in the competitive distribution of funds under section 129(d)(2). In designating national service programs to receive priority, the Corporation may include—

(A) * * *

* * * * * * *

(F) professional corps programs described in section 122(a)(8); **[**and**]**

(G) programs that—

(i) * * *

* * * * * * *

(iii) include an evaluation component**[**.**]***;*

(H) programs that recruit veterans, particularly returning veterans, into service opportunities; and

(I) programs that promote community-based efforts to meet the unique needs of military families while a member of the family is deployed, or when a member of the family returns from deployment.

* * * * * * *

PART III—NATIONAL SERVICE PARTICIPANTS

SEC. 137. DESCRIPTION OF PARTICIPANTS.

(a) IN GENERAL.—For purposes of this subtitle, an individual shall be considered to be a participant in a national service program carried out using assistance provided under section 121 if the individual—

(1) * * *

* * * * * * *

[(3) will serve in the program for a term of service specified in section 139 to be performed before, during, or after attendance at an institution of higher education;**]**

[(4)**]** *(3)* is 17 years of age or older at the time the individual begins the term of service;

[(5)**]** *(4)* has received a high school diploma or its equivalent, agrees to obtain a high school diploma or its equivalent (unless this requirement is waived based on an individual education assessment conducted by the program) and the individual did not drop out of an elementary or secondary school to enroll in the program, or is enrolled in an institution of higher education on an ability to benefit basis and is considered eligible for funds under section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091); and

[(6)] *(5)* is a citizen or national of the United States or lawful permanent resident alien of the United States.

(b) SPECIAL RULES FOR CERTAIN YOUTH PROGRAMS.—An individual shall be considered to be a participant in a youth corps program described in section 122(a)(2) or a program described in section 122(a)(9) that is carried out with assistance provided under section 121(a) if the individual—

(1) satisfies the requirements specified in subsection (a), except [paragraph (4)] *paragraph (3)* of such subsection; and

(2) is [between the ages of 16 and 25] *a 16-year-old out of school youth or an individual between the ages of 17 and 25*, inclusive, at the time the individual begins the term of service.

(c) WAIVER.—The Corporation may waive the requirements of subsection [(a)(5)] *(a)(4)* with respect to an individual if the program in which the individual seeks to become a participant conducts an independent evaluation demonstrating that the individual is incapable of obtaining a high school diploma or its equivalent.

SEC. 138. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

(a) SELECTION PROCESS.—Subject to subsections (b) and (c) and section 131(f), the actual recruitment and selection of an individual to serve in a national service program receiving assistance under section 121 or to fill an approved national service position shall be [conducted by the State, subdivision of a State, Indian tribe, public or private nonprofit organization, institution of higher education, Federal agency, or other entity] *conducted by the entity* to which the assistance and approved national service positions are provided.

* * * * * * *

(e) NATIONAL LEADERSHIP POOL.—

(1) * * *

(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In selecting individuals to receive leadership training under this subsection, the Corporation shall make special efforts to select individuals who have served—

(A) * * *

* * * * * * *

(C) as participants in national service programs receiving assistance under section 121*, particularly those who were considered at the time of their service disadvantaged youth*;

* * * * * * *

SEC. 139. TERMS OF SERVICE.

(a) * * *

(b) TERM OF SERVICE.—

(1) FULL-TIME SERVICE.—An individual performing full-time national service in an approved national service position shall agree to participate in the program sponsoring the position for not less than 1,700 hours during a period of [not less than 9 months and] not more than 1 year.

(2) PART-TIME SERVICE.—Except as provided in paragraph (3), an individual performing part-time national service in an approved national service position shall agree to participate in

the program sponsoring the position for not less than 900 hours [during a period of—

[(A) not more than 2 years; or

[(B) not more than 3 years if the individual is enrolled in an institute of higher education while preforming all or a portion of the service.] *during a period of not more than 2 years.*

* * * * * * *

(4) EXTENSION OF TERM FOR DISASTER PURPOSES.—

(A) An individual in an approved national service position performing service directly related to disaster relief efforts may continue in a term of service for a period of 90 days beyond the period otherwise specified in sections 139(b) and 153 (e) or in section 104 of the Domestic Volunteer Service Act of 1973.

(B) Service performed by an individual in an originally-agreed to term of service and service performed under this paragraph shall constitute a single term of service for purposes of sections 146(b) and (c) but may not receive an additional education award under section 141.

(c) RELEASE FROM COMPLETING TERM OF SERVICE.—

(1) RELEASE AUTHORIZED.—A recipient of assistance under section 121 or a program sponsoring an approved national service position may release a participant from completing a term of service in the position—

(A) for compelling personal circumstances [as demonstrated by the participant] *as determined by the organization responsible for granting a release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the original term of service*; or

* * * * * * *

(2) EFFECT OF RELEASE FOR COMPELLING CIRCUMSTANCES.—If a participant eligible for release under paragraph (1)(A) is serving in an approved national service position, the recipient of assistance under section 121 or a program sponsoring an approved national service position may elect—

(A) to grant such release and [provide to the participant that portion of the national service educational award] *certify the participant's eligibility for that portion of the national service educational award* corresponding to the portion of the term of service actually completed, as provided in section 147(c); or

(B) to permit the participant to temporarily suspend performance of the term of service for a period of up to 2 years (and such additional period as the Corporation may allow for extenuating circumstances) and, upon completion of such period, [to allow return to the program with which the individual was serving in order] to complete the remainder of the term of service and obtain the entire national service educational award.

* * * * * * *

SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE PARTICIPANTS.

(a) PROVISION OF LIVING ALLOWANCE.—

(1) LIVING ALLOWANCE REQUIRED.—Subject to [paragraph (3)] *paragraphs (2) and (3)*, a national service program carried out using assistance provided under section 121 shall provide to each participant who participates on a full-time basis in the program a living allowance in an amount equal to or greater than the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

[(2) LIMITATION ON FEDERAL SHARE.—The amount of the annual living allowance provided under paragraph (1) that may be paid using assistance provided under section 121 and using any other Federal funds shall not exceed 85 percent of the total average annual provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).]

[(3)] *(2)* MAXIMUM LIVING ALLOWANCE.—Except as provided in subsection (c), the total amount of an annual living allowance that may be provided to a participant in a national service program shall not exceed 200 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided to an individual whose term of service includes hours for which the individual receives Federal work study wages shall be reduced by the amount of the individual's Federal work study award.

(4) PRORATION OF LIVING ALLOWANCE.—The amount provided as a living allowance under this subsection shall be prorated in the case of a participant who is authorized to serve [a reduced term of service under section 139(b)(3)] *a term of service that is less than 12 months*.

* * * * * * *

(b) COVERAGE OF CERTAIN EMPLOYMENT-RELATED TAXES.—To the extent a national service program that receives assistance under section 121 is subject, with respect to the participants in the program, to the taxes imposed on an employer under sections 3111 and 3301 of the Internal Revenue Code of 1986 (26 U.S.C. 3111, 3301) and taxes imposed on an employer under a workmen's compensation act, the assistance provided to the program under section 121 [shall include an amount sufficient to cover 85 percent of such taxes based upon the lesser of—

[(1) the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

[(2) the annual living allowance established by the program.] *may be used to pay such taxes.*

(c) EXCEPTION FROM MAXIMUM LIVING ALLOWANCE FOR CERTAIN ASSISTANCE.—A professional corps program described in section 122(a)(8) that desires to provide a living allowance in excess of the maximum allowance authorized in subsection (a)(3) may still apply for such assistance, except that—

(1) any assistance provided to the applicant under section 121 may not be used to pay for any portion of the allowance; *and*

[(2) the applicant shall apply for such assistance only by submitting an application to the Corporation for assistance on a competitive basis; and]

[(3)] *(2)* the national service program shall be operated directly by the applicant and shall meet urgent, unmet human, educational, environmental, or public safety needs, as determined by the Corporation.

(d) HEALTH INSURANCE.—

(1) IN GENERAL.—A State or other recipient of assistance under section 121 shall provide a basic health care policy for each full-time participant in a national service program carried out or supported using the assistance, if the participant is not otherwise covered by a health care policy. [Not more than 85 percent of the cost of a premium shall be provided by the Corporation, with the remaining cost paid by the entity receiving assistance under section 121.] The Corporation shall establish minimum standards that all plans must meet in order to qualify for payment under this part, any circumstances in which an alternative health care policy may be substituted for the basic health care policy, and mechanisms to prohibit participants from dropping existing coverage.

* * * * * * *

[(g) WAIVER OF LIMITATION ON FEDERAL SHARE.—The Corporation may waive in whole or in part the limitation on the Federal share specified in this section with respect to a particular national service program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

[(h) LIMITATION ON NUMBER OF TERMS OF SERVICE FOR FEDERALLY SUBSIDIZED LIVING ALLOWANCE.—No national service program may use assistance provided under section 121, or any other Federal funds, to provide a living allowance under subsection (a), a health care policy under subsection (d), or child care or a child care allowance under subsection (e), to an individual for a third, or subsequent, term of service described in section 139(b) by the individual in a national service program carried out under this subtitle.]

* * * * * * *

Subtitle D—National Service Trust and Provision of National Service Educational Awards

SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE TRUST.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account to be known as the National Service Trust. The Trust shall consist of—

(1) from the amounts appropriated to the Corporation and made available to carry out this subtitle pursuant to section

501(a)(2), such amounts as the Corporation may designate to be available for the payment of—

(A) * * *

(B) interest expenses pursuant to [section 148(e)] *section 148(f)*;

(2) any amounts received by the Corporation as gifts, bequests, devises, or otherwise [pursuant to section 196(a)(2)] *pursuant to section 196(a)(2), if the terms of such donations direct that they be deposited in the National Service Trust*; and

* * * * * * *

(c) EXPENDITURES FROM TRUST.—Amounts in the Trust shall be available, to the extent provided for in advance by appropriation, [for payments of national service educational awards in accordance with section 148.] *for—*

(1) payments of summer of service educational awards and national service educational awards in accordance with section 148; and

(2) payments of interest in accordance with section 148(f).

* * * * * * *

SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

(a) ELIGIBLE INDIVIDUALS.—An individual shall receive a national service educational award from the National Service Trust [if the individual] *if the organization responsible for an individual's supervision certifies that the individual—*

[(1) successfully completes the required term of service described in subsection (b) in an approved national service position;

[(2) was 17 years of age or older at the time the individual began serving in the approved national service position or was an out-of-school youth serving in an approved national service position with a youth corps program described in section 122(a)(2) or a program described in section 122(a)(9);

[(3) at the time the individual uses the national service educational award—

[(A) has received a high school diploma, or the equivalent of such diploma;

[(B) is enrolled at an institution of higher education on the basis of meeting the standard described in paragraph (1) or (2) of subsection (a) of section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091) and meets the requirements of subsection (a) of such section; or

[(C) has received a waiver described in section 137(c); and]

(1) met the applicable eligibility requirements for the position; and

(2)(A) for a full-time or part-time educational award, successfully completed the required term of service described in subsection (b) in an approved national service position; or

(B) for a partial educational award—

(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under section 139(c); and

(ii) served at least 15 percent of the required term of service described in subsection (b); and

[(4)] *(3)* is a citizen or national of the United States or lawful permanent resident alien of the United States.

* * * * * * *

[(c) LIMITATION ON NUMBER OF TERMS OF SERVICE FOR AWARDS.—Although an individual may serve more than 2 terms of service described in subsection (b) in an approved national service position, the individual shall receive a national service educational award from the National Service Trust only on the basis of the first and second of such terms of service.]

(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, in national service educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The aggregate value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of national service educational awards the individual may receive.

(d) TIME FOR USE OF EDUCATIONAL AWARD.—

(1) [SEVEN-YEAR REQUIREMENT] *IN GENERAL.*—[An] *Subject to paragraph (2), an* individual eligible to receive a national service educational award under this section may not use such award after the end of the 7-year period beginning on the date the individual completes the term of service in an approved national service position that is the basis of the award.

(2) EXCEPTION.—The Corporation may extend the period within which an individual may use a national service educational award if the Corporation determines that the individual—

(A) was unavoidably prevented from using the national service educational award during the original 7-year period; [or]

(B) performed another term of service in an approved national service position during that period[.]*; or*

(C) is an individual eligible to receive a summer of service educational award, in which case the individual shall have a 10-year period to use such educational award beginning on the date that the individual completes the term of service that is the basis of such educational award.

(e) SUSPENSION OF ELIGIBILITY FOR DRUG-RELATED OFFENSES.—

(1) IN GENERAL.—An individual who, after qualifying under this section *or under section 120(c)(8)* as an eligible individual, has been convicted under any Federal or State law of the possession or sale of a controlled substance shall not be eligible to receive a national service educational award *or a summer of service educational award* during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of:	
The possession of a controlled substance:	Ineligibility period is:
1st conviction	1 year
2nd conviction	2 years
3rd conviction	indefinite
The sale of a controlled substance:	
1st conviction	2 years
2nd conviction	indefinite

* * * * * * *

SEC. 147. DETERMINATION OF THE AMOUNT OF THE NATIONAL SERVICE EDUCATIONAL AWARD.

[(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having a value, for each of not more than 2 of such terms of service, equal to 90 percent of—

[(1) one-half of an amount equal to the aggregate basic educational assistance allowance provided in section 3015(b)(1) of title 38, United States Code (as in effect on July 28, 1993), for the period referred to in section 3013(a)(1) of such title (as in effect on July 28, 1993), for a member of the Armed Forces who is entitled to such an allowance under section 3011 of such title and whose initial obligated period of active duty is 2 years; less

[(2) one-half of the aggregate basic contribution required to be made by the member in section 3011(b) of such title (as in effect on July 28, 1993).]

(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having a value equal to the maximum amount of a Federal Pell Grant that a student eligible under section 401(b)(2)(A) of the Higher Education Act of 1965 may receive for the award year for which the national service position is approved by the Corporation.

(b) AMOUNT FOR PART-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of part-time national service in an approved national service position shall receive a national service educational award having a value, for each of not more than 2 of such terms of service *in the period of one year*, equal to 50 percent of value of the national service educational award determined under subsection (a).

* * * * * * *

SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

(a) IN GENERAL.—Amounts in the Trust shall be available—

(1) * * *

(2) to pay all or part of the [cost of attendance] *cost of attendance or other educational expenses* at an institution of higher education in accordance with subsection (c);

(3) to pay expenses incurred in participating in an approved school-to-work program in accordance with subsection (d); [and]

(4) to pay expenses incurred in enrolling in an educational institution or training establishment that meets the requirements of chapter 36 of title 38, United States Code (38 U.S.C. 3451 et seq.); and

[(4)] *(5)* to pay interest expenses in accordance with regulations prescribed pursuant to subsection (e).

(b) USE OF EDUCATIONAL AWARD TO REPAY OUTSTANDING STUDENT LOANS.—

(1) APPLICATION BY ELIGIBLE INDIVIDUALS.—An eligible individual under section 146 who desires to apply the national service educational award of the individual*, or an eligible individual under section 120(c)(8) who received a summer of service educational award* to the repayment of qualified student loans shall submit, in a manner prescribed by the Corporation, an application to the Corporation that—

(A) * * *

* * * * * * *

(2) DISBURSEMENT OF REPAYMENTS.—Upon receipt of an application from an eligible individual of an application that complies with paragraph (1), the Corporation shall, as promptly as practicable consistent with paragraph (5), disburse the amount of the national service educational award *or the summer of service educational award, as applicable,* that the eligible individual has earned. Such disbursement shall be made by check or other means that is payable to the holder of the loan and requires the endorsement or other certification by the eligible individual.

* * * * * * *

(5) NOTIFICATION OF INDIVIDUAL.—The Corporation upon disbursing the national service educational award *or the summer of service educational award, as applicable*, shall notify the individual of the amount paid for each outstanding loan and the date of payment.

* * * * * * *

(7) DEFINITION OF QUALIFIED STUDENT LOANS.—As used in this subsection, the term "qualified student loans" means—

(A) any loan made, insured, or guaranteed pursuant to title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.)**[**, other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078–2); and**]***;*

(B) any loan made pursuant to title VII or VIII of the Public Health Service Act (42 U.S.C. 292a et seq.)**[**.**]***; and*

(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to cover a student's educational expenses and made, insured, or guaranteed by—

(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

(ii) the direct student loan program under part D of title IV of such Act;

(iii) a State agency; or

(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.

* * * * * * *

(c) USE OF EDUCATIONAL AWARDS TO PAY CURRENT EDUCATIONAL EXPENSES.—

(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—An eligible individual under section 146 who desires to apply the individual's national service educational award*, or an eligible individual under section 120(c)(8) who desires to apply the individual's summer of service educational award,* to the payment of current full-time or part-time educational expenses shall, on a form prescribed by the Corporation, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

(2) SUBMISSION OF REQUESTS FOR PAYMENT BY INSTITUTIONS.—An institution of higher education that receives one or more applications that comply with paragraph (1) shall submit to the Corporation a statement, in a manner prescribed by the Corporation, that—

(A) identifies each eligible individual filing an application under paragraph (1) for a disbursement of the individual's national service educational award *or summer of service educational award, as applicable,* under this subsection;

* * * * * * *

(C) certifies that—

(i) * * *

* * * * * * *

(iii) individuals using national service educational awards received under this subtitle *or summer of service educational awards received under section 120(c)(8)* to pay for educational costs do not comprise more than 15 percent of the total student population of the institution; and

* * * * * * *

(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from an institution of higher education that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the national service educational awards *and summer of service educational awards* for which eligible individuals who have submitted applications to that institution under paragraph (1) are scheduled to receive. Such disbursement shall be made by check or other means that is payable to the institution and requires the endorsement or other certification by the eligible individual.

* * * * * * *

(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award*, or summer of service educational award, as applicable,* of an eligible individual) of amounts disbursed to institutions for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Such regulations shall be consistent with the fair and equitable refund policies required of institutions pursuant to section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b). Amounts refunded to the Trust pursuant to this paragraph

may be used by the Corporation to fund additional *summer of service educational awards and additional* approved national service positions under subtitle C.

(6) MAXIMUM AWARD.—The portion of an eligible individual's total available national service educational award *and summer of service educational award* that may be disbursed under this subsection for any period of enrollment shall not exceed the difference between—

(A) * * *

* * * * * * *

(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Corporation shall by regulation provide for the payment of national service educational awards *and summer of service educational awards* to permit eligible individuals to participate in school-to-work programs approved by the Secretaries of Labor and Education.

* * * * * * *

(e) INTEREST PAYMENTS DURING FORBEARANCE ON LOAN REPAYMENT.—The Corporation shall provide by regulation for the payment on behalf of an eligible individual of interest that accrues during a period for which such individual has obtained forbearance in the repayment of a qualified student loan (as defined in [subsection (b)(6)] *subsection (b)(7)*), if the eligible individual successfully completes the individual's required term of service (as determined under section 146(b)). Such regulations shall be prescribed after consultation with the Secretary of Education.

(f) EXCEPTION.—With the approval of the [Director] *Chief Executive Officer*, an approved national service program funded under section 121, may offer participants the option of waiving their right to receive a national service educational award in order to receive an alternative post-service benefit funded by the program entirely with non-Federal funds.

* * * * * * *

SEC. 149. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) TIMING AND RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding subtitles C and D, and any other provision of law, in approving a position as an approved national service position, the Corporation—

(A) shall approve the position at the time the Corporation—

(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or a summer of service educational award; or

(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes

into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program and remain available.

(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to the appropriate committees of Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

(A) during fiscal year 2009; and

(B) during any subsequent fiscal year.

(b) RESERVE ACCOUNT.—

(1) ESTABLISHMENT AND CONTENTS.—

(A) ESTABLISHMENT.—Notwithstanding subtitles C and D, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

(i) during fiscal year 2009, a portion of the funds that were appropriated for fiscal year 2009 or a previous fiscal year under section 501(a)(2), were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 120(c)(8), and remain available; and

(ii) during fiscal year 2009 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available.

(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions and summer of service educational awards; or

(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions or summer of service educational awards, as applicable.

(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public account-

ants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards or summer of service educational awards under section 148.

* * * * * * *

[Subtitle E—Civilian Community Corps

[SEC. 151. PURPOSE.

[It is the purpose of this subtitle to authorize the establishment of a National Civilian Community Corps to provide a basis for determining—

[(1) whether residential service programs administered by the Federal Government can significantly increase the support for national service and community service by the people of the United States;

[(2) whether such programs can expand the opportunities for willing young men and women to perform meaningful, direct, and consequential acts of community service in a manner that will enhance their own skills while contributing to their understanding of civic responsibility in the United States;

[(3) whether retired members and former members of the Armed Forces of the United States, members and former members of the Armed Forces discharged or released from active duty in connection with reduced Department of Defense spending, members and former members of the Armed Forces discharged or transferred from the Selected Reserve of the Ready Reserve in connection with reduced Department of Defense spending, and other members of the Armed Forces not on active duty and not actively participating in a reserve component of the Armed Forces can provide guidance and training under such programs that contribute meaningfully to the encouragement of national and community service; and

[(4) whether domestic national service programs can serve as a substitute for the traditional option of military service in the Armed Forces of the United States which, in times of reductions in the size of the Armed Forces, is a diminishing national service opportunity for young Americans.]

Subtitle E—National Civilian Community Corps

SEC. 151. PURPOSE.

It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military

service, including leadership and team building, to meet national and community needs. Such needs to be met under such programs include those related to—

(1) natural and other disasters;

(2) infrastructure improvement;

(3) environmental stewardship and conservation;

(4) energy conservation;

(5) urban and rural development; and

(6) other unmet needs consistent with the purpose as described in this section.

[SEC. 152. ESTABLISHMENT OF CIVILIAN COMMUNITY CORPS DEMONSTRATION PROGRAM.]

SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.

(a) IN GENERAL.—The Corporation may establish the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* to carry out the purpose of this subtitle.

(b) PROGRAM COMPONENTS.—Under the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* authorized by subsection (a), the members of [a Civilian Community Corps] *a National Civilian Community Corps* shall receive training and perform service in at least one of the following two program components:

(1) * * *

* * * * * * *

(c) RESIDENTIAL [PROGRAMS] *COMPONENTS*.—Both [program components are residential programs. The members of the Corps in each program shall reside with other members of the Corps in Corps housing during the periods of the members' agreed service.] *programs referred to in subsection (b) may include a residential component.*

SEC. 153. NATIONAL SERVICE PROGRAM.

(a) IN GENERAL.—Under the national service program component of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* authorized by section 152(a), eligible young people shall work in teams [on Civilian Community Corps] *on National Civilian Community Corps* projects.

(b) ELIGIBLE PARTICIPANTS.—A person shall be eligible for selection for the national service program [if the person—

[(1) is at least 16 and not more than 24 years of age; and

[(2) is a high school graduate or has not received a high school diploma or its equivalent.] *if the person will be at least 18 years of age on or before December 31 in the calendar year in which the individual enrolls in the program.*

(c) DIVERSE [BACKROUNDS] *BACKGROUNDS* OF PARTICIPANTS.—In selecting persons for the national service program, the Director shall endeavor to ensure that participants are from economically, geographically, and ethnically diverse backgrounds. *The Director shall take appropriate steps, including through outreach and recruitment activities carried out by the chief executive officer, to increase the percentage of participants in the program who are disadvantaged youth toward 50 percent of all participants by year 2011. The Director shall report to the appropriate committees of*

Congress biennially on such efforts, any challenges faced, and the annual participation rates of disadvantaged youth in the program.

* * * * * * *

[(e) PERIOD OF PARTICIPATION.—Persons desiring to participate in the national service program shall enter into an agreement with the Director to participate in the Corps for a period of not less than nine months and not more than one year, as specified by the Director, and may renew the agreement for not more than one additional such period.]

SEC. 154. SUMMER NATIONAL SERVICE PROGRAM.

(a) IN GENERAL.—Under the summer national service program of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* authorized by section 152(a), a diverse group of youth aged 14 through 18 years who are from urban or rural areas shall work in teams [on Civilian Community Corps] *on National Civilian Community Corps* projects.

(b) NECESSARY PARTICIPANTS.—To the extent practicable, at least 50 percent of the participants in the summer national service program [shall be economically disadvantaged youths.] *shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.*

* * * * * * *

[SEC. 155. CIVILIAN COMMUNITY CORPS.]

SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.

(a) DIRECTOR.—Upon the establishment of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program*, [the Civilian Community Corps shall] *the National Civilian Community Corps shall* be under the direction of the Director appointed pursuant to section 159(c)(1).

[(b) MEMBERSHIP IN CIVILIAN COMMUNITY CORPS.—]

(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—

(1) PARTICIPANTS TO BE MEMBERS.—Persons selected to participate in the national service program or the summer national service program components of the Program shall become members of the *National* Civilian Community Corps.

* * * * * * *

(3) APPLICATION FOR MEMBERSHIP.—To be selected to become a Corps member an individual shall submit an application to the Director or to any other office as the Director may designate, at such time, in such manner, and containing such information as the Director shall require. At a minimum, the application shall contain information about the work experience of the applicant and sufficient information to enable the Director, or the [superintendent] *campus director* of the appropriate [camp] *campus*, to determine whether selection of the applicant for membership in the Corps is appropriate.

(4) TEAM LEADERS.—The Director may select from Corps members individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps to perform service that includes leading and supervising teams of Corps members. Team leaders shall—

(A) be selected without regard to the age limitation under section 153(b);

(B) be members of the National Civilian Community Corps; and

(C) be provided the rights and benefits applicable to Corps members, except that the limitation on the amount of living allowance shall not exceed 10 percent more than the amount established under section 158(b).

* * * * * * *

[(d) CAMPS.—

[(1) UNITS TO BE ASSIGNED TO CAMPS.—]

(d) CAMPUSES.—

(1) UNITS TO BE ASSIGNED TO CAMPUSES.—The units of the Corps shall be grouped together as appropriate [in camps] *in campuses* for operational, support, and boarding purposes. The Corps [camp] *campus* for a unit shall be in a facility or central location established as the operational headquarters and boarding place for the unit. Corps members may be housed [in the camps] *in the campuses*.

[(2) CAMP SUPERINTENDENT.—There shall be a superintendent for each camp. The superintendent is the head of the camp.]

(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.

[(3) ELIGIBLE SITE FOR CAMP.—A camp may be located]

(3) ELIGIBLE SITE FOR CAMPUS.—A campus must be cost-effective and may, upon the completion of a feasibility study, be located in a facility referred to in section 162(a)(3).

[(e) DISTRIBUTION OF UNITS AND CAMPS.—]

(e) DISTRIBUTION OF UNITS AND CAMPUSES.—The Director shall ensure that the Corps units and [camps are distributed] *campuses are cost-effective and are distributed* in urban areas and [rural areas in various regions throughout the United States.] *rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region.*

(f) STANDARDS OF CONDUCT.—

(1) IN GENERAL.—The [superintendent] *campus director* of each [camp] *campus* shall establish and enforce standards of conduct to promote proper moral and disciplinary conditions in the [camp] *campus*.

(2) SANCTIONS.—Under procedures prescribed by the Director, the [superintendent of a camp] *campus director of a campus* may—

(A) transfer a member of the Corps in that [camp] *campus* to another unit or [camp] *campus* if the [superintendent] *campus director* determines that the retention of the member in the member's unit or in the [superintendent's] *campus director's* [camp] *campus* will jeopardize the enforcement of the standards or diminish the opportunities of other Corps members in that unit or [camp] *campus*, as the case may be; or

(B) dismiss a member of the Corps from the Corps if the [superintendent] *campus director* determines that retention of the member in the Corps will jeopardize the en-

forcement of the standards or diminish the opportunities of other Corps members.

(3) APPEALS.—Under procedures prescribed by the Director, a member of the Corps may appeal to the Director a determination of a [camp superintendent] *campus director* to transfer or dismiss the member. The Director shall provide for expeditious disposition of appeals under this paragraph.

SEC. 156. TRAINING.

(a) COMMON CURRICULUM.—Each member of the *National* Civilian Community Corps shall be provided with between three and six weeks of training that includes a comprehensive service-learning curriculum designed to promote team building, discipline, leadership, work, training, citizenship, and physical conditioning. *The Director shall ensure that to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.*

(b) ADVANCED SERVICE TRAINING.—

(1) NATIONAL SERVICE PROGRAM.—Members of the Corps participating in the national service program shall receive advanced training in basic, project-specific skills that the members will use in performing their community service projects*, including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs*.

* * * * * * *

(c) TRAINING PERSONNEL.—

(1) * * *

[(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, or other qualified individuals.]

(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide, either directly or through grants, contracts, or cooperative agreements, the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, other qualified individuals, or organizations with expertise in training youth, including disadvantaged youth, in the skill areas described in such subsection.

* * * * * * *

SEC. 157. SERVICE PROJECTS.

(a) PROJECT REQUIREMENTS.—The service projects carried out by the *National* Civilian Community Corps shall—

(1) meet an identifiable public need *with specific emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment, energy conservation, and urban and rural development*;

(2) emphasize the performance of community service activities that provide meaningful community benefits and opportu-

nities for [service learning] *service-learning* and skills development;

* * * * * * *

(b) PROJECT PROPOSALS.—

(1) DEVELOPMENT OF PROPOSALS.—

(A) SPECIFIC EXECUTIVE DEPARTMENTS.—Upon the establishment of the Program, the Secretary of Agriculture, the Secretary of the Interior, [and the Secretary of Housing and Urban Development] *the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the United States Forest Service* shall develop proposals for Corps projects pursuant to guidance which the Director shall prescribe.

(B) OTHER SOURCES.—Other public and private organizations and agencies, including *community-based organizations and* representatives of local communities in the vicinity of a Corps [camp] *campus*, may develop proposals for projects for a Corps [camp] *campus*. Corps members shall also be encouraged to identify projects for the Corps.

(2) CONSULTATION REQUIREMENTS.—The process for developing project proposals under paragraph (1) shall include consultation with the Corporation, representatives of local communities, *State Commissions,* and persons involved in other youth service programs.

(c) PROJECT SELECTION, ORGANIZATION, AND PERFORMANCE.—

(1) SELECTION.—The [superintendent] *campus director* of a Corps [camp] *campus* shall select the projects to be performed by the members of the Corps assigned to the units in that [camp] *campus*. The [superintendent] *campus director* shall select projects from among the projects proposed or identified pursuant to subsection (b).

(2) INNOVATIVE LOCAL ARRANGEMENTS FOR PROJECT PERFORMANCE.—The Director shall encourage [camp superintendents] *campus directors* to negotiate with representatives of local communities, to the extent practicable, innovative arrangements for the performance of projects. The arrangements may provide for cost-sharing and the provision by the communities of in-kind support and other support.

SEC. 158. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

(a) IN GENERAL.—The Director shall provide for members of the *National* Civilian Community Corps to receive benefits authorized by this section.

* * * * * * *

(c) OTHER AUTHORIZED BENEFITS.—While receiving training or engaging in service projects as members of the *National* Civilian Community Corps, members may be provided the following benefits*, as the Director determines appropriate*:

(1) * * *

* * * * * * *

(6) [Clothing] *Uniforms*.

(7) [Recreational services and supplies] *Supplies*.

* * * * * * *

SEC. 159. ADMINISTRATIVE PROVISIONS.

(a) SUPERVISION.—The Chief Executive Officer shall monitor and supervise the administration of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* authorized to be established under section 152. In carrying out this section, the Chief Executive Officer shall—

(1) approve such guidelines, *including those* recommended by the Board, for the design, selection of members, and operation of the *National* Civilian Community Corps as the Chief Executive Officer considers appropriate;

* * * * * * *

(b) MONITORING AND COORDINATION.—The Chief Executive Officer shall—

(1) monitor the overall operation of the *National* Civilian Community Corps;

* * * * * * *

(c) STAFF.—

(1) DIRECTOR.—

(A) * * *

(B) DUTIES.—The Director shall—

(i) design, develop, and administer the *National* Civilian Community Corps programs;

* * * * * * *

(2) PERMANENT CADRE.—

(A) ESTABLISHMENT.—[The Director shall establish a permanent cadre of] *The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed* supervisors and training instructors for *National* Civilian Community Corps programs.

(B) APPOINTMENT.—[The Director shall appoint the members] *The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members* of the permanent cadre.

(C) EMPLOYMENT CONSIDERATIONS.—In appointing individuals to cadre positions, [the Director] *the Chief Executive Officer* shall—

(i) * * *

* * * * * * *

(iii) ensure that the cadre is comprised of males and females of diverse ethnic, economic, professional, and geographic backgrounds; [and]

(iv) give consideration to retired and other former law enforcement, fire, rescue, and emergency personnel, and other individuals with backgrounds in disaster preparedness, relief, and recovery; and

[(iv)] *(v)* consider applicants' experience in other youth service programs.

* * * * * * *

(E) TRAINING.—The Director shall provide to members of the permanent cadre appropriate training in youth development techniques*, including techniques for working with and enhancing the development of disadvantaged youth,* and the principles of [service learning] *service-learning*. All members of the permanent cadre shall be required to participate in the training.

(3) INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director, [the members] *other members* of the permanent cadre, and the other staff personnel shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The rates of pay of such persons may be established without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title. In the case of a member of the permanent cadre who was recommended for appointment in accordance with section 162(a)(2)(A) and is entitled to retired or retainer pay, section 5532 of title 5, United States Code, shall not apply to reduce the member's retired or retainer pay by reason of the member being paid as a member of the cadre.

* * * * * * *

SEC. 160. STATUS OF CORPS MEMBERS AND CORPS PERSONNEL UNDER FEDERAL LAW.

(a) IN GENERAL.—Except as otherwise provided in this section, members of the *National* Civilian Community Corps shall not, by reason of their status as such members, be considered Federal employees or be subject to the provisions of law relating to Federal employment.

* * * * * * *

SEC. 161. CONTRACT AND GRANT AUTHORITY.

(a) PROGRAMS.—The Director may, by contract or grant, provide for any public or private organization to [perform any program function under this subtitle] *carry out the National Civilian Community Corps program*.

(b) EQUIPMENT AND FACILITIES.—

(1) * * *

(2) OTHER PROPERTY.—The Director may enter into contracts or agreements for the use of other equipment or facilities to the extent practicable to train and house members of the *National* Civilian Community Corps and leaders of Corps units.

SEC. 162. RESPONSIBILITIES OF OTHER DEPARTMENTS.

(a) SECRETARY OF DEFENSE.—

(1) LIAISON OFFICE.—

(A) ESTABLISHMENT.—Upon the establishment of the Program, the Secretary of Defense shall establish an office to provide for liaison between the Secretary and the *National* Civilian Community Corps.

(B) DUTIES.—The office shall—

(i) in order to assist in the recruitment of personnel for appointment in the permanent cadre, make available to the Director information in [the registry established by section 4462 of the National Defense Authorization Act for Fiscal Year 1993;] *the registry estab-*

lished by section 1143a of title 10, United States Code; and

* * * * * * *

(2) CORPS CADRE.—

(A) LIST OF RECOMMENDED PERSONNEL.—Upon the establishment of the Program, the Secretary of Defense, in consultation with the liaison office established under paragraph (1) shall develop a list of individuals [to be recommended for appointment] *from which individuals may be selected for appointment by the Director* in the permanent cadre of Corps personnel. Such personnel shall be selected from among members and former members of the Armed Forces referred to in section 151(3) who are commissioned officers, noncommissioned officers, former commissioned officers, or former noncommissioned officers.

* * * * * * *

(3) FACILITIES.—Upon the establishment of the Program, the Secretary of Defense shall identify military installations and other facilities of the Department of Defense and, in consultation with the adjutant generals of the State National Guards, National Guard facilities that may be used, in whole or in part, by the *National* Civilian Community Corps for training or housing Corps members. The Secretary of Defense shall carry out this paragraph in consultation with the liaison office established under paragraph (1).

* * * * * * *

[(b) SECRETARY OF LABOR.—Upon the establishment of the Program, the Secretary of Labor shall identify and assist in establishing a system for the recruitment of persons to serve as members of the National Civilian Community Corps. In carrying out this subsection, the Secretary of Labor may utilize the Employment Service Agency or the Office of Job Training.]

SEC. 163. ADVISORY BOARD.

(a) ESTABLISHMENT AND PURPOSE.—[Upon the establishment of the Program, there shall also be] *There shall be* established a *National* Civilian Community Corps Advisory Board to advise the Director concerning the administration of this subtitle and [to assist in the development and administration of the Corps.] *to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. Consistent with the needs outlined in section 151, the Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.*

(b) MEMBERSHIP.—The Advisory Board shall be composed of the following members:

(1) * * *

* * * * * * *

(8) The Administrator of the Federal Emergency Management Agency.

(9) The Secretary of Transportation.

(10) The Chief of the United States Forest Service.

(11) The Administrator of the Environmental Protection Agency.

(12) The Secretary of Energy.

[(8)] *(13)* Individuals appointed by the Director from among persons who are broadly representative of educational institutions, voluntary organizations, [industry,] *public and private organizations,* youth, and labor unions.

[(9)] *(14)* The Chief Executive Officer.

* * * * * * *

SEC. 164. [ANNUAL] EVALUATION.

Pursuant to the provisions for evaluations conducted under section 179, and in particular subsection (g) of such section, the Corporation shall conduct an [annual evaluation] *evaluation before September 30, 2014* of the *National* Civilian Community Corps programs authorized under this subtitle. *Upon completing each such evaluation, the Corporation shall transmit to the appropriate committees of Congress a report on the evaluation.*

[SEC. 165. FUNDING LIMITATION.

[The Corporation, in consultation with the Director, shall ensure that no amounts appropriated under section 501 are utilized to carry out this subtitle.]

SEC. 166. DEFINITIONS.

In this subtitle:

(1) * * *

[(2) CORPS.—The terms "National Civilian Community Corps" and "Corps" mean the National Civilian Community Corps required under section 155 as part of the National Civilian Community Corps Demonstration Program.

[(3) CORPS CAMP.—The term "Corps camp" means the facility or central location established as the operational headquarters and boarding place for particular Corps units.]

(2) CAMPUS DIRECTOR.—The term "campus director", with respect to a Corps campus, means the head of the campus under section 155(d).

(3) CORPS.—The term "Corps" means the National Civilian Community Corps required under section 155 as part of the Civilian Community Corps Program.

(4) CORPS CAMPUS.—The term "Corps campus" means the facility or central location established as the operational headquarters and boarding place for particular Corps units.

[(4)] *(5)* CORPS MEMBERS.—The term "Corps members" means persons receiving training and participating in projects under the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program*.

[(5)] *(6)* DIRECTOR.—The term "Director" means the Director of the *National* Civilian Community Corps.

[(6)] *(7)* INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given that term in section 101 of the Higher Education Act of 1965.

[(7)] *(8)* PROGRAM.—[The terms "Civilian Community Corps Demonstration Program and "Program" mean the Civilian Community Corps Demonstration Program] *The term "Pro-*

gram" means the National Civilian Community Corps Program established pursuant to section 152.

[(8) SERVICE LEARNING.—] *(9) SERVICE-LEARNING.*—The term "[service learning] *service-learning*", with respect to Corps members, means a method—

(A) * * *

* * * * * * *

[(9) SUPERINTENDENT.—The term "superintendent", with respect to a Corps camp, means the head of the camp under section 155(d).]

* * * * * * *

Subtitle F—Administrative Provisions

SEC. 171. FAMILY AND MEDICAL LEAVE.

(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL PROJECTS.—For purposes of title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—

(1) a participant has provided service for the period required by section 101(2)(A)(i) (29 U.S.C. 2611(2)(A)(i)), and has met the hours of service requirement of section 101(2)(A)(ii), of such Act [with respect to a project] *with respect to a project authorized under the national service laws*; and

* * * * * * *

SEC. 174. PROHIBITION ON USE OF FUNDS.

* * * * * * *

(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.

* * * * * * *

SEC. 176. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) IN GENERAL.—

(1) * * *

(2) PROCEDURES TO ENSURE ASSISTANCE.—The Corporation shall prescribe procedures to ensure that—

(A) assistance provided under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title except, in emergency situations, a suspension may be granted for [30 days] *1 or more periods of 30 days not to exceed 90 days in total*; and

* * * * * * *

(f) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—[A State or local applicant] *An entity* that receives assistance under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants, labor organizations, and other interested individuals concerning projects that receive assistance under this

title, including grievances regarding proposed placements of such participants in such projects.

* * * * * * *

(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

(A) * * *

* * * * * * *

(C) prohibition of the placement described in paragraph (5); [and]

(D) in a grievance filed by an individual applicant or participant—

(i) the applicant's selection or the participant's reinstatement, as the case may be; and

(ii) other changes in the terms and conditions of service; and

[(D)] *(E)* in a case in which the grievance involves a violation of subsection (a) or (b) of section 177 and the employer of the displaced employee is the recipient of assistance under this title—

(i) * * *

* * * * * * *

SEC. 177. NONDUPLICATION AND NONDISPLACEMENT.

(a) NONDUPLICATION.—

(1) IN GENERAL.—Assistance provided [under this title] *under the national service laws* shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

(2) PRIVATE NONPROFIT ENTITY.—Assistance made available [under this title] *under the national service laws* shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) NONDISPLACEMENT.—

(1) IN GENERAL.—An employer shall not displace an [employee or position] *employee, position, or volunteer (other than a participant under the national service laws)*, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving assistance [under this title] *under the national service laws*.

(2) SERVICE OPPORTUNITIES.—A service opportunity shall not be created [under this title] *under the national service laws* that will infringe in any manner on the promotional opportunity of an employed individual.

(3) LIMITATION ON SERVICES.—

(A) DUPLICATION OF SERVICES.—A participant in a program receiving assistance [under this title] *under the national service laws* shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) SUPPLANTATION OF HIRING.—A participant in any program receiving assistance [under this title] *under the national service laws* shall not perform any services or duties, or engage in activities, that—

(i) * * *

* * * * * * *

(C) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant in any program receiving assistance [under this title] *under the national service laws* shall not perform services or duties that have been performed by or were assigned to any—

(i) * * *

* * * * * * *

(f) PARENTAL INVOLVEMENT.—

(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, consistent with State law, before transporting minor children, provide the reason for and obtain written permission of the children's parents.

SEC. 178. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

(a) * * *

* * * * * * *

(c) COMPOSITION AND MEMBERSHIP.—

(1) REQUIRED MEMBERS.—The State Commission for a State shall include as voting members at least one of each of the following individuals:

(A) * * *

* * * * * * *

(J) A representative of the volunteer sector.

* * * * * * *

(3) CORPORATION REPRESENTATIVE.—The representative of the Corporation designated under section 195(c) for a State shall be an ex officio nonvoting member of the State Commission or alternative administrative entity for that State[, unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity].

* * * * * * *

(e) DUTIES OF A STATE COMMISSION.—The State Commission or alternative administrative entity for a State shall be responsible for the following duties:

[(1) Preparation of a national service plan for the State that—

[(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from national service programs within the State and other interested members of the public;

[(B) covers a 3-year period;

[(C) is updated annually;

[(D) ensures outreach to diverse community-based agencies that serve underrepresented populations, by—

[(i) using established networks, and registries, at the State level; or

[(ii) establishing such networks and registries; and

[(E) contains such information as the State Commission considers to be appropriate or as the Corporation may require.]

(1) Preparation of a national service plan for the State that—

(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy to meet critical community needs, including programs funded under the national service laws;

(B) covers a 3-year period, the beginning of which may be set by the State;

(C) is subject to approval by the chief executive officer of the State;

(D) includes measurable goals and outcomes for the State consistent with those for national service programs as described in section 179(a)(1)(A);

(E) ensures outreach to diverse community-based agencies that serve under-represented populations, by using established networks and registries at the State level, or establishing such networks and registries;

(F) provides for effective coordination of funding applications submitted by the State and others within the State under the national service laws;

(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State; and

(H) contains such information as the State Commission considers to be appropriate or as the Corporation may require.

* * * * * * *

(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive, or specify alternatives to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by a State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within a State.

(g) STATE PLAN FOR BABY BOOMER AND OLDER ADULT VOLUNTEER AND PAID SERVICE.—

(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State must work with appropriate State agencies and private entities to develop a com-

prehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

(2) MATTERS INCLUDED.—The State plan shall include—

(A) recommendations for public policy initiatives, including how to best tap the population of members of the Baby Boom generation and older adults as sources of social capital and as ways to address community needs;

(B) recommendations to the State unit on aging on—

(i) a marketing outreach plan to businesses;

(ii) outreach to—

(I) non-profit organizations;

(II) the State's Department of Education;

(III) institutions of higher education; and

(IV) other State agencies; and

(C) recommendations for civic engagement and multigenerational activities, such as—

(i) early childhood education, family literacy, and after school programs;

(ii) respite services for older adults and caregivers; and

(iii) transitions for members of the Baby Boom generation and older adults to purposeful work in their post career lives.

(3) KNOWLEDGE INCORPORATED.—The State plan shall incorporate the current knowledge base regarding—

(A) the economic impact of older workers' roles in the economy;

(B) the social impact of older workers' roles in the community; and

(C) the health and social benefits of active engagement for members of the Baby Boom generation and older adults.

(4) PUBLICATION.—The State plan must be made public and be transmitted to the Chief Executive Officer.

[(f)**]** *(h)* ACTIVITY INELIGIBLE FOR ASSISTANCE.—A State Commission or alternative administrative entity may not directly carry out any national service program that receives assistance under section 121.

[(g)**]** *(i)* DELEGATION.—Subject to such requirements as the Corporation may prescribe, a State Commission may delegate nonpolicymaking duties to a State agency or public or private nonprofit organization.

[(h)**]** *(j)* APPROVAL OF STATE COMMISSION OR ALTERNATIVE.—

(1) * * *

* * * * * * *

[(i)**]** *(k)* COORDINATION.—

(1) COORDINATION WITH OTHER STATE AGENCIES.—The State Commission or alternative administrative entity for a State shall coordinate the activities of the Commission or entity under this Act with the activities of other State agencies that administer Federal financial assistance programs under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.) or other appropriate Federal financial assistance programs**[**.**]**, *consistent with section 174(d).*

* * * * * * *

[(j)] *(l)* LIABILITY.—

(1) * * *

* * * * * * *

SEC. 179. EVALUATION.

[(a) IN GENERAL.—The Corporation shall provide, through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

[(1) the effectiveness of various program models in achieving stated goals and the costs associated with such;

[(2) with respect to the programs authorized under subtitle C, the impact of such programs, in each State in which a program is conducted, on the ability of—

[(A) the VISTA and National Senior Volunteer Corps programs (established under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 4950 et seq.));

[(B) each regular component of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code);

[(C) each of the reserve components of the Armed Forces (as described in section 10101 of title 10, United States Code); and

[(D) the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.));

to recruit individuals residing in such State to serve in such program; and

[(3) the structure and mechanisms for delivery of services for such programs.]

(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

(1) the effectiveness of programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such, including—

(A) an evaluation of performance measures, as established by the Corporation in consultation with each grantee receiving assistance under the national service laws, which may include—

(i) number of participants enrolled and completing terms of service compared to the stated goals of the program;

(ii) number of volunteers recruited from the community in which the program was implemented;

(iii) if applicable based on the program design, the number of individuals receiving or benefitting from the service conducted;

(iv) number of disadvantaged and under-represented youth participants;

(v) sustainability of project or program, including measures to ascertain the level of community support for the project or program;

(vi) measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service; and

(vii) other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance; and

(B) review of the implementation plan for reaching such measures described in subparagraph (A); and

(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease with which recipients were able to receive services, to maximize the cost-effectiveness and the impact of such programs.

* * * * * * *

(g) PROGRAM OBJECTIVES.—The Corporation shall ensure that programs that receive assistance under subtitle C are evaluated to determine their effectiveness in—

(1) * * *

* * * * * * *

(3) encouraging each participant to engage in public and community service after completion of the program based on career choices and service in other service programs such as the Volunteers in Service to America Program and ❚National Senior Volunteer Corps❚ *National Senior Service Corps* programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), the military, and part-time volunteer service;

* * * * * * *

(9) attracting a greater number of citizens ❚to public service, including service in the active and reserve components of the Armed Forces, the National Guard, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), and the VISTA and National Senior Volunteer Corps programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).❚ *to engage in service that benefits the community.*

* * * * * * *

(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—In addition to amounts appropriated to carry out this section, the Corporation may reserve up to 1 percent of total program funds appropriated for a fiscal year under the national service laws to support program accountability activities under this section.

(k) CORRECTIVE PLANS.—

(1) IN GENERAL.—A grantee that fails to reach the performance measures in subsection (a)(1)(A) as determined by the Corporation, shall reach an agreement with the Corporation on a corrective action plan to achieve the agreed upon performance measures.

(2) ASSISTANCE.—

(A) NEW PROGRAM.—For a program that has received assistance for less than 3 years and is failing to achieve the

performance measures agreed upon under subsection (a)(1)(A), the Corporation shall—

(i) provide technical assistance to the grantee to address targeted performance problems relating to the performance measures in subsection (a)(1)(A); and

(ii) require quarterly reports from the grantee on the program's progress toward achieving the performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

(B) ESTABLISHED PROGRAMS.—For a program that has received assistance for 3 years or more and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall require quarterly reports from the grantee on the program's progress towards achieving performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

(l) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation, a grantee or subgrantee fails to achieve the established levels of performance, the Corporation shall—

(1) reduce the annual amount of the grant award attributable to the underperforming grantee or subgrantee by at least 25 percent; or

(2) terminate assistance to the underperforming grantee or subgrantee, consistent with section 176(a).

(m) REPORTS.—The Corporation shall submit to the appropriate committees of Congress not later than two years after the date of the enactment of this subsection, and annually thereafter, a report containing information on the number of—

(1) grantees implementing corrective action plans;

(2) grantees for which the Corporation offers technical assistance under subsection (k);

(3) grantees for which the Corporation terminates assistance for a program under subsection (l);

(4) entities that expressed interest in applying for assistance under a national service law but did not apply;

(5) entities whose application was rejected; and

(6) grantees meeting or exceeding their performance measures in subsection (a).

* * * * * * *

SEC. 181. CONTINGENT EXTENSION.

[Section 414] *Section 422* of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.

SEC. 182. PARTNERSHIPS WITH SCHOOLS.

(a) * * *

[(b) REPORT.—Not later than 180 days after the date of enactment of this Act, and on a regular basis thereafter, the head of each Federal agency and department shall prepare and submit, to the appropriate Committees of Congress, a report concerning the implementation of this section.]

(b) REPORT.—

(1) FEDERAL AGENCY SUBMISSION.—The head of each Federal agency shall prepare and submit to Corporation for Community

and National Service a report concerning the implementation of this section, including an evaluation of the performance goals and benchmarks of the partnership programs.

(2) REPORT TO CONGRESS.—The Corporation for National and Community Service shall prepare and submit to the appropriate committees of Congress a compilation of the information received under paragraph (1).

SEC. 183. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

(a) COMPTROLLER GENERAL.—[The] *Consistent with otherwise applicable law, the* Comptroller General, or any of the duly authorized representatives of the Comptroller General, shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, *Territory,* Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act; and

* * * * * * *

(b) CHIEF FINANCIAL OFFICER.—[The] *Consistent with otherwise applicable law, the* Chief Financial Officer of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, *Territory,* Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act; and

* * * * * * *

(c) INSPECTOR GENERAL.—Consistent with otherwise applicable law, the Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, Territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act that relates to the assistance received, directly or indirectly, under this Act; and

(2) that relates to the duties of the Inspector General under the Inspector General Act of 1978.

* * * * * * *

SEC. 185. SUSTAINABILITY.

(a) GOALS.—To ensure that recipients of assistance under the national service laws are carrying out sustainable projects or programs, the Corporation, after collaboration with State Commissions and consultation with recipients of assistance under the national service laws, may set sustainability goals supported by policies and procedures to—

(1) build the capacity of the projects that receive assistance under the national service laws to meet community needs and lessen the dependence on Federal dollars to do so, taking into consideration challenges that programs in underserved rural or urban areas may face;

(2) provide technical assistance to aid the recipients of assistance under the national service laws in acquiring and leveraging non-Federal funds for the projects; and

(3) implement measures to ascertain whether the projects are generating sufficient community support.

(b) ENFORCEMENT.—If a recipient does not meet the sustainability goals in subsection (a) for a project, the Corporation may take action as described in sections 176 and 179.

SEC. 186. GRANT PERIODS.

Unless otherwise specifically provided, the Corporation has authority to make a grant under the national service laws for a period of 3 years.

SEC. 187. GENERATION OF VOLUNTEERS.

In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs. In reviewing the application for this purpose, the Corporation may take into account the mission of the applicant.

SEC. 188. LIMITATION ON PROGRAM GRANT COSTS.

(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation in a grant to operate a program authorized under the national service laws supporting individuals serving in approved national service positions may not exceed $17,000 per full-time equivalent position.

(b) COSTS SUBJECT TO LIMITATION.—The limitation in subsection (a) applies to the Corporation's share of member support costs, staff costs, and other costs borne by the grantee or subgrantee to operate a program.

(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation in subsection (a) and (e)(1) shall not apply to expenses that are not included in the program operating grant award.

(d) ADJUSTMENTS FOR INFLATION.—The amount specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

(1) WAIVER.—The Chief Executive Officer may waive the requirements of this section, up to a maximum of $19,500, if necessary to meet the compelling needs of a particular program, such as exceptional training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, tribal programs or programs located in the Territories and start-up costs associated with a first-time grantee, and up to a maximum of $22,000 for Tribal residential programs.

(2) REPORTS.—The Chief Executive Officer shall report to the appropriate committees of Congress annually on all waivers granted under this section, with an explanation of the compelling needs justifying such waivers.

SEC. 189. AUDITS AND REPORTS.

The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 501 et seq.) and the Government Corporation Control Act of 1945 (31 U.S.C. 9101 et seq.). The Corporation shall report to the appropriate committees of Congress any failure to comply with the requirements of such audits.

SEC. 190. CRIMINAL HISTORY CHECKS.

(a) IN GENERAL.—Entities selecting individuals to serve in a position in which the individual receives a Corporation grant-funded living allowance, stipend, education award, salary, or other remuneration in a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

(b) REQUIREMENTS.—A criminal history check shall, except in cases approved for good cause by the Corporation, include a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.) and—

(1) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

(2) a Federal Bureau of Investigation fingerprint check.

(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

(1) refuses to consent to the criminal history check described in subsection (b);

(2) makes a false statement in connection with such criminal history check;

(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.

SEC. 190A. REPORT ON PARTICIPANT INFORMATION.

(a) IN GENERAL.—The Corporation shall annually collect and report to the appropriate committees of Congress any demographic and socioeconomic information on the participants of all programs or projects receiving assistance under the national service laws.

(b) INFORMATION COLLECTED AND REPORTED.—

(1) PARTICIPANTS AGES 18 AND OLDER.—The information collected and reported under this section for participants ages 18 and older shall include age, gender, race, ethnicity, annual income, employment status, disability status, veteran status, marital status, educational attainment, and household size, type, and income.

(2) PARTICIPANTS UNDER AGE 18.—The information collected and reported under this section for participants under age 18 shall only include age, gender, race, ethnicity, and eligibility for free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(c) PUBLIC AVAILABILITY.—The information collected and reported under this section shall be available to the public.

(d) CONFIDENTIALITY.— The information collected and reported under this section shall not contain any personally identifiable information of any participant.

Subtitle G—Corporation for National and Community Service

* * * * * * *

SEC. 192. BOARD OF DIRECTORS.

(a) * * *

* * * * * * *

[(c) TERMS.—Each appointed member of the Board shall serve for a term of 5 years, except that, as designated by the President—

[(1) 3 of the members first appointed to the Board shall serve for a term of 1 year;

[(2) 3 of the members first appointed to the Board shall serve for a term of 2 years;

[(3) 3 of the members first appointed to the Board shall serve for a term of 3 years;

[(4) 3 of the members first appointed to the Board shall serve for a term of 4 years; and

[(5) 3 of the members first appointed to the Board shall serve for a term of 5 years.]

(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.

* * * * * * *

(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve for one year beyond expiration of the term if no successor is appointed or until the date on which a successor has taken office.

SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF DIRECTORS.

(a) * * *

* * * * * * *

(g) DUTIES.—The Board [shall—] *shall have responsibility for setting overall policy for the Corporation and shall—*

(1) review and approve the strategic plan described in section 193A(b)(1), and annual updates of the plan*, and review the budget proposal in advance of submission to the Office of Management and Budget and to Congress*;

* * * * * * *

(5)(A) review, and advise the Chief Executive Officer regarding, the actions of the Chief Executive Officer with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out the national service laws; [and]

(B) inform the Chief Executive Officer of any aspects of the actions of the Chief Executive Officer that are not in compliance with the annual strategic plan referred to in paragraph

(1), the proposals referred to in paragraphs (2) and (3), or the plan referred to in paragraph (4), or are not consistent with the objectives of the national service laws; *and*

(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;

* * * * * * *

[(10) notwithstanding any other provision of law, make grants to or contracts with Federal or other public departments or agencies and private nonprofit organizations for the assignment or referral of volunteers under the provisions of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973), which may provide that the agency or organization shall pay all or a part of the costs of the program; and]

(10) notwithstanding any other provision of law—

(A) make grants to or contracts with Federal and other public departments or agencies, and private nonprofit organizations for the assignment or referral of volunteers under the provisions of Title I of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973) which may provide that the agency or organization shall pay all or a part of the costs of the program; and

(B) enter into agreements with other Federal agencies for the support of programs under the national service laws which—

(i) may provide that the agency or organization shall pay all or a part of the costs of the program; and

(ii) shall provide that the program (including any program operated by another Federal agency) will comply with all requirements related to evaluation, performance, and other goals applicable to similar programs under the national service laws, as determined by the Corporation; and

(11) prepare and make recommendations to the Congress and the President for changes in the national service laws resulting from the studies and demonstrations the Chief Executive Officer is required to carry out under section 193A(b)(10), which recommendations shall be submitted to the Congress and President not later than [September 30, 1995] *January 1, 2012*.

* * * * * * *

SEC. 193. CHIEF EXECUTIVE OFFICER.

(a) * * *

(b) COMPENSATION.—The Chief Executive Officer shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code[.], *plus 3 percent.*

* * * * * * *

SEC. 193A. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

(a) * * *

(b) DUTIES.—In addition to the duties conferred on the Chief Executive Officer under any other provision of the national service laws, the Chief Executive Officer [shall—], *in collaboration with State Commissions, shall—*

(1) prepare and submit to the Board a strategic plan*, including a plan for achieving 50 percent full-time approved national service positions by 2012,* every 3 years, and annual updates of the plan, for the Corporation with respect to the major functions and operations of the Corporation;

* * * * * * *

(10) provide for studies (including the evaluations described in subsection (f)) and demonstrations that evaluate, and prepare and submit to the Board by [June 30, 1995,] *June 30 of each even-numbered year,* a report containing recommendations regarding, issues related to—

(A) the administration and organization of programs authorized under the national service laws or under Public Law 91–378 (referred to in this subparagraph as "service programs"), including—

(i) whether the State and national priorities designed to meet the unmet human, education, environmental, or public safety needs described in [section 122(c)(1)] *section 122(c)* are being addressed by this Act;

* * * * * * *

(12) bolster the public awareness of and recruitment efforts for the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

(A) print media;

(B) the Internet and related emerging technologies;

(C) television;

(D) radio;

(E) presentations at public or private forums;

(F) other innovative methods of communication; and

(G) outreach to offices of economic development, State employment security agencies, labor unions and trade associations, local education agencies, institutions of higher education, agencies and organizations serving veterans and people with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

(13) identify and implement methods of recruitment to—

(A) increase the diversity of participants in the programs receiving assistance under the national service laws;

(B) increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

(14) coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

(15) collaborate with organizations with demonstrated expertise in supporting and accommodating individuals with disabil-

ities, including institutions of higher education, to identify and implement methods of recruitment to increase the number of participants with disabilities in the programs receiving assistance under the national service laws;

(16) identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

(17) collaborate with organizations which have established volunteer recruitment programs, including those on the Internet, to increase the recruitment capacity of the Corporation;

(18) where practicable, provide application materials in languages other than English for those with limited English proficiency who wish to participate in a national service program;

(19) collaborate with the training and technical assistance programs described in subtitle J and in appropriate paragraphs of section 199N(b);

(20) coordinate the clearinghouses described in section 198F;

(21) coordinate with entities receiving funds under Subtitle Establishing the Reserve Corps for alumni of the national service programs to serve in emergencies, disasters, and other times of national need;

(22) identify and implement strategies to increase awareness among Indian tribes of the types and availability of assistance under the national service laws, increase Native American participation in national service, and collect information on challenges facing Native American communities;

(23) conduct outreach to ensure the inclusion of low-income persons in national service programs and activities authorized under the National Senior Service Corps; and

(24) ensure that outreach, awareness, and recruitment efforts are consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

(c) POWERS.—In addition to the authority conferred on the Chief Executive Officer under any other provision of the national service laws, the Chief Executive Officer may—

(1) * * *

* * * * * * *

(9) consolidate the reports to Congress required under the national service laws, and the report required under section 9106 of title 31, United States Code, into a single report, and submit the report to Congress on an annual basis; **[**and**]**

(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and

[(10)**]** *(11)* generally perform such functions and take such steps consistent with the objectives and provisions of the national service laws, as the Chief Executive Officer determines to be necessary or appropriate to carry out such provisions.

* * * * * * *

(f) EVALUATIONS *AND STUDIES*.—

(1) * * *

* * * * * * *

(3) EVALUATION ON REACHING 50 PERCENT GOAL.—The Corporation shall submit a report to the appropriate committees of Congress, not later than 18 months after the enactment of this section on actions taken to achieve the goal of 50 percent full-time approved national service positions as described in 193A(b)(1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal.

(4) EVALUATION ON APPLICATIONS.—The Corporation shall submit a report to the appropriate committees of Congress, not later than 18 months after the enactment of this section a report on the actions taken to modify the application procedures and reporting requirements for programs and activities funded under then national service laws, including a description of the consultation procedures with grantees.

(5) STUDY OF INVOLVEMENT OF VETERANS.—The Corporation shall submit to the appropriate committees of Congress, not later than 3 years after the enactment of this section, on—

(A) the number of veterans serving in national service programs historically by year;

(B) strategies being undertaken to identify the specific areas of need of veterans, including any goals set by the Corporation for veterans participating in the service programs;

(C) the impact of the strategies described in paragraph (2) and the Veterans Corps on enabling greater participation by veterans in the national service programs carried out under the national service laws;

(D) how existing programs and activities carried out under the national service laws could be improved to serve veterans, veterans service organizations, families of active-duty military, including gaps in services to veterans;

(E) the extent to which existing programs and activities carried out under the national service laws are coordinated and recommendations to improve such coordination including the methods for ensuring the efficient financial organization of services directed towards veterans; and

(F) how to improve utilization of veterans as resources and volunteers.

(6) CONSULTATION.—In conducting the studies and preparing the reports required under this subsection, the Corporation shall consult with veterans' service organizations, the Department of Veterans Affairs, State veterans agencies, the Department of Defense, as appropriate, and other individuals and entities the Corporation considers appropriate.

* * * * * * *

(h) AUTHORITY TO CONTRACT WITH A BUSINESS.—The Chief Executive Officer may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(13), with priority given to those entities who have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and members of the Baby Boom generation.

(i) CAMPAIGN TO SOLICIT FUNDS.—The Chief Executive Officer may conduct a campaign to solicit non-Federal funds to support outreach and recruitment of a diverse population of service sponsors

of and participants in programs and projects receiving assistance under the national service laws.

SEC. 194. OFFICERS.

(a) * * *

* * * * * * *

(c) CHIEF FINANCIAL OFFICER.—

[(1) OFFICE.—There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the President, by and with the advice and consent of the Senate.

[(2) COMPENSATION.—The Chief Financial Officer shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.]

(1) IN GENERAL.—The Corporation shall have a chief financial officer appointed subject to the provisions of title 5, United States Code, governing appointment in the competitive service and paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

[(3)] *(2)* DUTIES.—The Chief Financial Officer shall—

(A) * * *

* * * * * * *

SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PERSONNEL.

(a) * * *

* * * * * * *

(c) CORPORATION REPRESENTATIVE IN EACH STATE.—

(1) * * *

(2) DUTIES.—The representative designated under this subsection for a State or group of States shall serve as the liaison between—

(A) * * *

(B) the Corporation and any subdivision of a State, *Territory,* Indian tribe, public or private nonprofit organization, or institution of higher education, in the State or States, that is awarded a grant under section 121 directly from the Corporation; and

* * * * * * *

(3) [MEMBER] *NON-VOTING MEMBER* OF STATE COMMISSION.—The representative designated under this subsection for a State or group of States shall also serve as a *non-voting* member of the State Commission established in the State or States, as described in section 178(c)(3).

* * * * * * *

(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.

SEC. 196. ADMINISTRATION.

(a) DONATIONS.—

(1) SERVICES.—

[(A) VOLUNTEERS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the voluntary services of individuals to assist

the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).]

(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).

(B) LIMITATION.—[Such a volunteer] *A person who is a member of an organization or is an individual covered by subparagraph (A)* shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that—

(i) for the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, [a volunteer] *such a person* under this subtitle shall be considered to be a Federal employee;

(ii) for the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, [volunteers] *such a person* under this subtitle shall be considered to be employees, as defined in section 8101(1)(B) of title 5, United States Code, and the provisions of such subchapter shall apply; and

(iii) for purposes of the provisions of chapter 11 of part I of title 18, United States Code, [such a volunteer] *such a person* (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.

(C) INHERENTLY GOVERNMENTAL FUNCTION.—

(i) IN GENERAL.—[Such a volunteer] *Such a person* shall not carry out an inherently governmental function.

* * * * * * *

[(3) VOLUNTEER.—As used in this subsection, the term "volunteer" does not include a participant.]

* * * * * * *

Subtitle H—Investment for Quality and Innovation

PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE

SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.

(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may carry out this section directly (except as provided in [subsection (r)] *subsection (g)*) or through grants, contracts, and cooperative agreements with other entities.

(b) INNOVATION AND QUALITY IMPROVEMENT.—The Corporation may undertake activities [to improve the quality of national service programs, including] *to address emergent needs through summer programs and other activities, and to support service-learning programs and national service programs, including* service-learning programs, and to support innovative and model programs, including—

(1) * * *

* * * * * * *

[(c) SUMMER PROGRAMS.—The Corporation may support service programs intended to be carried out between May 1 and October 1, except that such a program may also include a year-round component.

[(d) COMMUNITY-BASED AGENCIES.—The Corporation may provide training and technical assistance and other assistance to service sponsors and other community-based agencies that provide volunteer placements in order to improve the ability of such agencies to use participants and other volunteers in a manner that results in high-quality service and a positive service experience for the participants and volunteers.

[(e) IMPROVE ABILITY TO APPLY FOR ASSISTANCE.—The Corporation shall provide training and technical assistance, where necessary, to individuals, programs, local labor organizations, State educational agencies, State Commissions, local educational agencies, local governments, community-based agencies, and other entities to enable them to apply for funding under one of the national service laws, to conduct high-quality programs, to evaluate such programs, and for other purposes.

[(f) NATIONAL SERVICE FELLOWSHIPS.—The Corporation may award national service fellowships.]

[(g)] *(c)* CONFERENCES AND MATERIALS.—The Corporation may organize and hold conferences, and prepare and publish materials, to disseminate information and promote the sharing of information among programs for the purpose of improving the quality of programs and projects.

[(h) PEACE CORPS AND VISTA TRAINING.—The Corporation may provide training assistance to selected individuals who volunteer to serve in the Peace Corps or a program authorized under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.). The training shall be provided as part of the course of study of the individual at an institution of higher education, shall involve

service-learning, and shall cover appropriate skills that the individual will use in the Peace Corps or VISTA.

[(i) PROMOTION AND RECRUITMENT.—The Corporation may conduct a campaign to solicit funds for the National Service Trust and other programs and activities authorized under the national service laws and to promote and recruit participants for programs that receive assistance under the national service laws.

[(j) TRAINING.—The Corporation may support national and regional participant and supervisor training, including leadership training and training in specific types of service and in building the ethic of civic responsibility.]

[(k)] *(d)* RESEARCH.—The Corporation may support research on national service, including service-learning.

[(l) INTERGENERATIONAL SUPPORT.—The Corporation may assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.

[(m) PLANNING COORDINATION.—The Corporation may coordinate community-wide planning among programs and projects.]

[(n)] *(e)* YOUTH LEADERSHIP.—The Corporation may support activities to enhance the ability of youth and young adults to play leadership roles in national service.

[(o)] *(f)* NATIONAL PROGRAM IDENTITY.—The Corporation may support the development and dissemination of materials, including training materials, and arrange for uniforms and insignia, designed to promote unity and shared features among programs that receive assistance under the national service laws.

[(p) SERVICE-LEARNING.—The Corporation shall support innovative programs and activities that promote service-learning.]

[(q)] *(g)* NATIONAL YOUTH SERVICE DAY.—

(1) * * *

* * * * * * *

[(r)] *(h)* ASSISTANCE FOR HEAD START.—The Corporation may make grants to, and enter into contracts and cooperative agreements with, public or nonprofit private agencies and organizations that receive grants or contracts under the Foster Grandparent Program (part B of title II of the Domestic Volunteer Service Act of 1973 (29 U.S.C. 5011 et seq.)), for projects of the type described in section 211(a) of such Act (29 U.S.C. 5011) operating under memoranda of agreement with the Corporation, for the purpose of increasing the number of low-income individuals who provide services under such program to children who participate in Head Start programs under the Head Start Act (42 U.S.C 9831 et seq).

[(s)] *(i)* MARTIN LUTHER KING, JR., SERVICE DAY.—

(1) * * *

* * * * * * *

(j) CALL TO SERVICE CAMPAIGN.—Not less than 180 days after enactment of this Act, the Corporation shall conduct a nationwide "Call To Service" campaign, to encourage all people of the United States, regardless of age, race, ethnicity, religion, or economic status, to engage in full- or part-time national service, long- or short-term public service in the nonprofit sector or government, or volunteering. In conducting the campaign, the Corporation may collaborate with other Federal agencies and entities, State Commissions,

Governors, nonprofit and faith-based organizations, businesses, institutions of higher education, elementary schools, and secondary schools.

(k) SEPTEMBER 11TH DAY OF SERVICE.—

(1) FEDERAL ACTIVITIES.—The Corporation may organize and carry out appropriate ceremonies and activities, which may include activities that are part of the broader Call to Service Campaign, in order to observe September 11th National Day of Service and Remembrance at the Federal level.

(2) ACTIVITIES.—The Corporation may make grants and provide other support to community-based organizations to assist in planning and carrying out appropriate service, charity, and remembrance opportunities in conjunction with the September 11th National Day of Service and Remembrance.

(3) CONSULTATION.—The Corporation may consult with and make grants or provide other forms of support to nonprofit organizations with expertise in representing September 11th families and other impacted constituencies, in promoting the establishment of September 11th as an annually recognized National Day of Service and Remembrance.

[SEC. 198A. CLEARINGHOUSES.

[(a) ASSISTANCE.—The Corporation shall provide assistance to appropriate entities to establish one or more clearinghouses, including the clearinghouse described in section 118.

[(b) APPLICATION.—To be eligible to receive assistance under subsection (a), an entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

[(c) FUNCTION OF CLEARINGHOUSES.—An entity that receives assistance under subsection (a) may—

[(1) assist entities carrying out State or local community service programs with needs assessments and planning;

[(2) conduct research and evaluations concerning community service;

[(3)(A) provide leadership development and training to State and local community service program administrators, supervisors, and participants; and

[(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

[(4) facilitate communication among entities carrying out community service programs and participants;

[(5) provide information, curriculum materials, and technical assistance relating to planning and operation of community service programs, to States and local entities eligible to receive funds under this title;

[(6)(A) gather and disseminate information on successful community service programs, components of such successful programs, innovative youth skills curriculum, and community service projects; and

[(B) coordinate the activities of the clearinghouse with appropriate entities to avoid duplication of effort;

[(7) make recommendations to State and local entities on quality controls to improve the delivery of community service programs and on changes in the programs under this title; and

[(8) carry out such other activities as the Chief Executive Officer determines to be appropriate.]

SEC. [198B.] *198A.* PRESIDENTIAL AWARDS FOR SERVICE.

(a) * * *

* * * * * * *

SEC. 198B. SERVE AMERICA FELLOWSHIPS.

(a) DEFINITIONS.—In this section:

(1) AREA OF NATIONAL NEED.—The term "area of national need" means an area involved in efforts to—

(A) improve education in schools for economically disadvantaged students;

(B) expand and improve access to health care;

(C) improve energy efficiency and conserve natural resources;

(D) improve economic opportunities for economically disadvantaged individuals; or

(E) improve disaster preparedness and response.

(2) ELIGIBLE FELLOWSHIP RECIPIENT.—The term "eligible fellowship recipient" means an individual who is selected by a State Commission under subsection (c), as a result of such selection, is eligible for a ServeAmerica Fellowship.

(3) FELLOW.—The term "fellow" means an eligible fellowship recipient who is awarded a ServeAmerica Fellowship and is designated a fellow under subsection (e).

(b) GRANTS.—

(1) IN GENERAL.—From the amounts appropriated under section 501(a)(2) and allotted under paragraph (2)(A), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions), to the State Commission of each of the several States, the District of Columbia, or the Commonwealth of Puerto Rico with an application approved under this section, to enable such State Commission to award ServeAmerica Fellowships under subsection (e).

(2) ALLOTMENT; RULES.—

(A) ALLOTMENT.—The amount allotted to a State Commission for a fiscal year shall be equal to an amount that bears the same ratio to the amount appropriated under section 501(a)(2), as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(B) RULES.—Of the amount allotted to a State Commission under subparagraph (A)—

(i) 1/3 of such amount shall be awarded to Fellows serving in organizations that maintain not more than 10 full-time staff and not more than 10 part-time staff; and

(ii) not more than 1.5 percent of such amount may be used for administrative costs.

(C) REALLOTMENT.—If a State Commission does not apply for an allotment under this subsection, or if a State Commission's application is not approved, the Corporation shall reallot the amount of the State Commission's allot-

ment to the remaining State Commissions in accordance with subparagraph (A).

(3) NUMBER OF POSITIONS.—The Corporation shall—

(A) establish or increase the number of approved national service positions under this subsection during each of fiscal years 2010 through 2014;

(B) establish the number of approved positions at 500 for fiscal year 2010; and

(C) increase the number of the approved positions to—

(i) 750 for fiscal year 2011;

(ii) 1,000 for fiscal year 2012;

(iii) 1,250 for fiscal year 2013; and

(iv) 1,500 for fiscal year 2014.

(4) USES OF GRANT FUNDS.—

(A) REQUIRED USES.—A grant awarded under this subsection shall be used to enable fellows to carry out service projects in areas of national need.

(B) PERMITTED USES.—A grant awarded under this subsection may be used for—

(i) oversight activities and mechanisms for the service sites as determined by the State Commission or the Corporation, which may include site visits;

(ii) activities to augment the experience of participants in approved national service positions under this section, including activities to engage such participants in networking opportunities with other national service participants; and

(iii) recruitment or training activities for participants in approved national service positions under this section.

(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State Commission shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including information on the criteria and procedures that the State Commission will use for overseeing ServeAmerica Fellowship placements for service projects, under subsection (e).

(c) ELIGIBLE FELLOWSHIP RECIPIENTS.—

(1) APPLICATION.—

(A) IN GENERAL.—An applicant desiring to become an eligible fellowship recipient shall submit an application to a State Commission, at such time and in such manner as the Commission may require, and containing the information described in subparagraph (B) and such additional information as the Commission may require. An applicant may submit such application to only one State Commission for a fiscal year.

(B) CONTENTS.—The Corporation shall specify information to be provided in an application submitted under this subsection, which shall include—

(i) a description of the area of national need that the applicant intends to address in the service project;

(ii) a description of the skills and experience the applicant has to address the area of national need;

(iii) a description of the type of service the applicant plans to provide as a fellow; and

(iv) information identifying the local area in which the applicant plans to serve, for the service project.

(2) SELECTION.—Each State Commission shall select the applicants received by the State Commission for a fiscal year, the number of eligible fellowship recipients that may be supported for that fiscal year based on the grant received by the State Commission under subsection (b).

(d) SERVICE SPONSOR ORGANIZATIONS.—

(1) IN GENERAL.—Each service sponsor organization shall—

(A) be a nonprofit organization or an institution of higher education that is not a Campus of Service (as described in section 119);

(B) satisfy qualification criteria established by the Corporation or the State Commission, including standards relating to organizational capacity, financial management, and programmatic oversight;

(C) not be a recipient of other national service awards; and

(D) at the time of registration with a State Commission, enter into an agreement providing that the service sponsor organization shall—

(i) abide by all program requirements;

(ii) provide an amount described in subsection (e)(3)(b) for each fellow serving with the organization through the ServeAmerica Fellowship;

(iii) be responsible for certifying whether each fellow serving with the organization successfully completed the ServeAmerica Fellowship, and record and certify in a manner specified by the Corporation the number of hours served by a fellow for purposes of determining the fellow's eligibility for benefits; and

(iv) provide timely access to records relating to the ServeAmerica Fellowship to the State Commission, the Corporation, and the Corporation's Inspector General.

(2) REGISTRATION.—

(A) REQUIREMENT.—No service sponsor organization may receive a fellow under this subsection until the organization registers with the State Commission;

(B) CLEARINGHOUSE.—The State Commission shall maintain a list of registered service sponsor organizations on a public website;

(C) REVOCATION.—If a State Commission determines that a service sponsor organization is in violation of any of the applicable provisions of this section—

(i) the State Commission shall revoke the registration of the organization;

(ii) the organization shall not be eligible to receive a national service award under this title, for not less than 5 years; and

(iii) the State Commission shall have the right to remove a fellow from the organization and relocate the fellow to another site.

(e) FELLOWS.—

(1) IN GENERAL.—To be eligible to participate in a service project as a fellow and receive a ServeAmerica Fellowship, an eligible fellowship recipient shall—

(A) within 3 months after being selected as an eligible fellowship recipient, select a registered service sponsor organization described in subsection (d) with which the recipient is interested in serving under this section; and

(B) enter into an agreement with the organization—

(i) that specifies the service the recipient will provide if the placement is approved; and

(ii) in which the recipient agrees to serve for 1 year on a full-time or part-time basis (as determined by the Corporation); and

(iii) submit such agreement to the State Commission.

(2) AWARD.—Upon receiving the eligible fellowship recipient's agreement under paragraph (1), the State Commission shall award a ServeAmerica Fellowship to the recipient and designate the recipient as a fellow.

(3) FELLOWSHIP AMOUNT.—

(A) IN GENERAL.—From amounts received under subsection (b), each State Commission shall award each of the State's fellows a ServeAmerica Fellowship amount that is equal to 50 percent of the amount of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

(B) AMOUNT FROM SERVICE SPONSOR ORGANIZATION.—Except as provided in subsection (C), the service sponsor organization shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of such amount and the ServeAmerica Fellowship amount the fellow receives under subparagraph (A)) is equal to or greater than 70 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

(C) MAXIMUM LIVING ALLOWANCE.—

(i) IN GENERAL.—The total amount that may be provided to a fellow under this subparagraph shall not exceed 100 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

(ii) SMALL ORGANIZATIONS.—A service sponsor organization meeting the requirements of subsection (b)(2)(B)(i) shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of that amount and the ServeAmerica Fellowship amount that fellows receive under clause (i) is equal to or greater than 60 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteers Service Act of 1973.

(D) PRORATION OF AMOUNT.—In the case of a fellow who is authorized to serve a part-time term of service under the agreement described in subparagraph (1)(B)(ii), the amount provided to a fellow under this subparagraph shall be prorated accordingly.

(E) WAIVER.—The Corporation may allow a State Commission to waive the amount required under subparagraph (B) from the service sponsor organization for a fellow serving the organization if—

(i) such requirement is inconsistent with the objectives of the ServeAmerica Fellowship program; and

(ii) the amount provided to the fellow under subparagraph (A) is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the ServeAmerica Fellowship program is located.

(f) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service under a ServeAmerica Fellowship shall comply with section 132(a). For purposes of applying that section to this subsection, a reference to assistance shall be considered to be a reference to assistance provided under this section.

(g) REPORTS.—Each service sponsor organization that receives a fellow under this subsection shall, on a biweekly basis, report to the State Commission on the number of hours served and the services provided by that fellow. The Corporation shall establish a web portal for the organizations to use in reporting the information.

(h) EDUCATIONAL AWARDS.—A fellow who serves in a service project under this section shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 for full-time or part-time national service, shall be eligible for a national service educational award described in such section. The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational awards for such fellow.

[SEC. 198C. MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.

[(a) PURPOSES.—The purposes of this section are to—

[(1) provide meaningful service opportunities for economically disadvantaged youth;

[(2) fully utilize military installations affected by closures or realignments;

[(3) encourage communities affected by such closures or realignments to convert the installations to community use; and

[(4) foster a sense of community pride in the youth in the community.

[(b) DEFINITIONS.—As used in this section:

[(1) AFFECTED MILITARY INSTALLATION.—The term "affected military installation" means a military installation being closed or realigned under—

[(A) the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of division B of Public Law 101–510; 10 U.S.C. 2687 note); and

[(B) title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

[(2) COMMUNITY.—The term "community" includes a county.

[(3) CONVERT TO COMMUNITY USE.—The term "convert to community use", used with respect to an affected military installation, includes—

[(A) conversion of the installation or a part of the installation to—

[(i) a park;

[(ii) a community center;

[(iii) a recreational facility; or

[(iv) a facility for a Head Start program under the Head Start Act (42 U.S.C. 9831 et seq.); and

[(B) carrying out, at the installation, a construction or economic development project that is of substantial benefit, as determined by the Chief Executive Officer, to—

[(i) the community in which the installation is located; or

[(ii) a community located within such distance of the installation as the Chief Executive Officer may determine by regulation to be appropriate.

[(4) DEMONSTRATION PROGRAM.—The term "demonstration program" means a program described in subsection (c).

[(c) DEMONSTRATION PROGRAMS.—

[(1) GRANTS.—The Corporation may make grants to communities and community-based agencies to pay for the Federal share of establishing and carrying out military installation conversion demonstration programs, to assist in converting to community use affected military installations located—

[(A) within the community; or

[(B) within such distance from the community as the Chief Executive Officer may by regulation determine to be appropriate.

[(2) DURATION.—In carrying out such a demonstration program, the community or community-based agency may carry out—

[(A) a program of not less than 6 months in duration; or

[(B) a full-time summer program.

[(d) USE OF FUNDS.—

[(1) STIPEND.—A community or community-based agency that receives a grant under subsection (c) to establish and carry out a project through a demonstration program may use the funds made available through such grant to pay for a portion of a stipend for the participants in the project.

[(2) LIMITATION ON AMOUNT OF STIPEND.—The amount of the stipend provided to a participant under paragraph (1) that may be paid using assistance provided under this section and using any other Federal funds shall not exceed the lesser of—

[(A) 85 percent of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

[(B) 85 percent of the stipend established by the demonstration program involved.

[(e) PARTICIPANTS.—

[(1) ELIGIBILITY.—A person shall be eligible to be selected as a participant in a project carried out through a demonstration program if the person is—

[(A) an economically disadvantaged individual; and

[(B)(i) a person described in section 153(b);

[(ii) a youth described in section 154(a); or

[(iii) an eligible youth described in section 423 of the Job Training Partnership Act or an individual described in section 144 of the Workforce Investment Act of 1998. (iii) an individual described in section 144 of the Workforce Investment Act of 1998.'.

[(2) PARTICIPATION.—Persons desiring to participate in such a project shall enter into an agreement with the service sponsor of the project to participate—

[(A) on a full-time or a part-time basis; and

[(B) for the duration referred to in subsection (f)(2)(C).

[(f) APPLICATION.—

[(1) IN GENERAL.—To be eligible to receive a grant under subsection (c), a community or community-based agency shall submit an application to the Chief Executive Officer at such time, in such manner, and containing such information as the Chief Executive Officer may require.

[(2) CONTENTS.—At a minimum, such application shall contain—

[(A) a description of the demonstration program proposed to be conducted by the applicant;

[(B) a proposal for carrying out the program that describes the manner in which the applicant will—

[(i) provide preservice and inservice training, for supervisors and participants, that will be conducted by qualified individuals or qualified organizations;

[(ii) conduct an appropriate evaluation of the program; and

[(iii) provide for appropriate community involvement in the program;

[(C) information indicating the duration of the program; and

[(D) an assurance that the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f).

[(g) LIMITATION ON GRANT.—In making a grant under subsection (c) with respect to a demonstration program to assist in converting an affected military installation, the Corporation shall not make a grant for more than 25 percent of the total cost of the conversion.

[SEC. 198D. SPECIAL DEMONSTRATION PROJECT.

[(a) SPECIAL DEMONSTRATION PROJECT FOR THE YUKON-KUSKOKWIM DELTA OF ALASKA.—The President may award grants to, and enter into contracts with, organizations to carry out programs that address significant human needs in the Yukon-Kuskokwim delta region of Alaska.

[(b) APPLICATION.—

[(1) GENERAL REQUIREMENTS.—To be eligible to receive a grant or enter into a contract under subsection (a) with respect to a program, an organization shall submit an application to

the President at such time, in such manner, and containing such information as the President may require.

[(2) CONTENTS.—The application submitted by the organization shall, at a minimum—

[(A) include information describing the manner in which the program will utilize VISTA volunteers, individuals who have served in the Peace Corps, and other qualified persons, in partnership with the local nonprofit organizations known as the Yukon-Kuskokwim Health Corporation and the Alaska Village Council Presidents;

[(B) take into consideration—

[(i) the primarily noncash economy of the region; and

[(ii) the needs and desires of residents of the local communities in the region; and

[(C) include specific strategies, developed in cooperation with the Yupi'k speaking population that resides in such communities, for comprehensive and intensive community development for communities in the Yukon-Kuskokwim delta region.]

SEC. 198C. SILVER SCHOLARSHIPS AND ENCORE FELLOWSHIPS.

(a) SILVER SCHOLARSHIP.—

(1) ESTABLISHMENT.—The Corporation may award grants, including fixed-amount grants (in accordance with section 129(l)) to community-based organizations to carry out a Silver Scholarship Grant Program for individuals age 55 and older to complete not less than 500 hours of service in a year carrying out projects of national need and to receive a Silver Scholarship in the form of a $1,000 education award. Under such a program—

(A) the Corporation shall establish criteria for the types of the service required to be performed to receive such award; and

(B) the individual receiving the award shall use such award in accordance with sections 146(c), 146(d), and 148(c).

(2) TERM.—Each program funded under this subsection shall be carried out over a period of 3 years, which may include 1 planning year and 2 additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

(3) APPLICATIONS.—To be eligible to carry out a program under this subsection, a community-based organization shall submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require. A community-based organization approved by the Corporation shall be a listed organization as described in subsection (b)(2)(D).

(4) COLLABORATION ENCOURAGED.—A community-based organization awarded a grant under this subsection is encouraged to collaborate with programs funded under title II of the Domestic Volunteer Service Act in carrying out this program.

(5) ELIGIBILITY FOR SCHOLARSHIP.—An individual is eligible to receive a Silver Scholarship if the community-based organi-

zation certifies to the Corporation that the individual has completed not less than 500 hours of service under this section.

(6) SUPPORT SERVICES.—A community-based organization receiving a grant under this subsection may use a portion of the fixed-amount grant to provide transportation services to an eligible individual to allow such individual to participate in a service project.

(b) ENCORE FELLOWSHIPS.—

(1) ESTABLISHMENT.—The Corporation may award 1-year Encore Fellowships to enable individuals age 55 or older to—

(A) carry out service projects in areas of national need; and

(B) to receive training and development in order to transition to full- or part-time public service in the nonprofit sector or government.

(2) PROGRAM.—In carrying out the program, the Corporation shall—

(A) maintain a list of eligible organizations for which Encore Fellows may be placed to carry out service projects through the program and shall provide the list to all Fellowship recipients; and

(B) at the request of a Fellowship recipient—

(i) determine whether the requesting recipient is able to meet the service needs of a listed organization, or another organization that the recipient requests in accordance with subparagraph (E), for a service project; and

(ii) upon making a favorable determination under clause (i), award the recipient with an Encore Fellowship, and place the recipient with the organization as an Encore Fellow under subparagraph (E).

(C) ELIGIBLE RECIPIENTS.—

(i) IN GENERAL.—An individual desiring to be selected as a Fellowship recipient shall—

(I) be an individual who—

(aa) is at least 55 years of age as of the time the individual applies for the program; and

(bb) is not engaged in, but who wishes to engage in, full- or part-time public service in the nonprofit sector or government; and

(II) submit an application to the Corporation, at such time, in such manner, and containing such information as the Corporation may require, including—

(aa) a description of the area of national need that the applicant hopes to address through the service project;

(bb) a description of the skills and experience the applicant has to address an area of national need; and

(cc) information identifying the region of the United States in which the applicant wishes to serve.

(ii) SELECTION BASIS.—In determining which individuals to select as Fellowship recipients, the Corporation shall—

(I) select not more than 10 individuals from each State; and

(II) give priority to individuals with skills and experience for which there is an ongoing high demand in the nonprofit sector and government.

(D) LISTED ORGANIZATIONS.—To be listed under subparagraph (A), an organization shall—

(i) be a nonprofit organization; and

(ii) submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including—

(I) a description of—

(aa) the services and activities the organization carries out generally;

(bb) the area of national need that the organization seeks to address through a service project; and

(cc) the services and activities the organization seeks to carry out through the proposed service project;

(II) a description of the skills and experience that an eligible Encore Fellowship recipient needs to be placed with the organization as an Encore Fellow for the service project;

(III) a description of the training and leadership development the organization shall provide an Encore Fellow placed with the organization to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

(IV) evidence of the organization's financial stability.

(E) PLACEMENT.—

(i) REQUEST FOR PLACEMENT WITH LISTED ORGANIZATIONS.—To be placed with a listed organization in accordance with subparagraph (B)(ii) for a service project, an eligible Encore Fellowship recipient shall submit an application for such placement to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

(ii) REQUEST FOR PLACEMENT WITH OTHER ORGANIZATION.—An eligible Encore Fellowship recipient may apply to the Corporation to serve the recipient's Encore Fellowship year with a nonprofit organization that is not a listed organization. Such application shall be submitted to the Corporation at such time, in such manner, and containing such information as the Corporation shall require, and shall include—

(I) an identification and description of—

(aa) the organization;

(bb) the area of national need the organization seeks to address; and

(cc) the services or activities the organization carries out to address such area of national need;

(II) a description of the services the eligible Encore Fellowship recipient shall provide for the organization as an Encore Fellow; and

(III) a letter of support from the leader of the organization, including—

(aa) a description of the organization's need for the eligible Encore Fellowship recipient's services;

(bb) evidence that the organization is financially sound;

(cc) an assurance that the organization will provide training and leadership development to the eligible Encore Fellowship recipient if placed with the organization as an Encore Fellow, to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

(dd) a description of the training and leadership development to be provided to the Encore Fellowship recipient if so placed.

(iii) PLACEMENT AND AWARD OF FELLOWSHIP.—If the Corporation determines that the eligible Encore Fellowship recipient is able to meet the service needs (including skills and experience to address an area of national need) of the organization that the eligible fellowship recipient requests under clause (ii) or (iii), the Corporation shall—

(I) approve the placement of the eligible Encore Fellowship recipient with the organization;

(II) award the eligible Encore Fellowship recipient an Encore Fellowship for a period of 1 year and designate the eligible Encore Fellowship recipient as an Encore Fellow; and

(III) in awarding the Encore Fellowship, make a payment, in the amount of $11,000, to the organization to enable the organization to provide living expenses to the Encore Fellow for the year in which the Encore Fellow agrees to serve.

(F) MATCHING FUNDS.—An organization that receives an Encore Fellow under this subsection shall agree to provide, for the living expenses of the Encore Fellow during the year of service, non-Federal contributions in an amount equal to not less than $1 for every $1 of Federal funds provided to the organization for the Encore Fellow through the fellowship.

(G) TRAINING AND ASSISTANCE.—Each organization that receives an Encore Fellow under this subsection shall provide training, leadership development, and assistance to the Encore Fellow, and conduct oversight of the service provided by the Encore Fellow.

(H) LEADERSHIP DEVELOPMENT.—Each year, the Corporation shall convene current and former Encore Fellows to discuss the Encore Fellows' experiences related to service under this subsection and discuss strategies for increasing leadership and careers in public service in the nonprofit sector or government.

(c) EVALUATIONS.—The Corporation shall conduct an independent evaluation of the programs authorized under subsections (a) and (b) and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.

PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

SEC. 198D. INNOVATIVE AND MODEL PROGRAM SUPPORT.

(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may, through grants and fixed-amount grants (in accordance with section 129(l)), carry out the following programs:

(1) PROGRAMS FOR DISADVANTAGED YOUTH.—A program selected from among those listed in 122(a) where no less than 75 percent of the participants are disadvantaged youth.

(A) COMPONENTS OF PROGRAMS.—Such programs may include life skills training, employment training, educational counseling, program to complete a high-school diploma or GED, counseling, or a mentoring relationship with an adult volunteer.

(B) PRIORITY.—Priority shall be given to programs that engage retirees to serve as mentors.

(2) PROGRAMS THAT ENGAGE YOUTH UNDER THE AGE OF 17.—Programs that engage youth under the age of 17 in service to the community to meet unmet human, educational, environmental, emergency and disaster preparedness, or public safety needs and may be a summer program or a year-round program. Priority shall be given to programs that collaborate with the RSVP Program and the AmeriCorps programs.

(3) PROGRAMS THAT REDUCE RECIDIVISM.—Programs that reengage court-involved youth and adults with the goal of reducing recidivism. Priority shall be given to such programs that create support systems beginning in corrections facilities, and programs that have life skills training, employment training, an education program, including a program to complete a high-school diploma or GED, educational and career counseling, post program placement, and support services, which could begin in corrections facilities. The program may include health and wellness programs, including but not limited to drug and alcohol treatment, mental health counseling, and smoking cessation.

(4) PROGRAMS THAT RECRUIT CERTAIN INDIVIDUALS.—Demonstration projects for programs that have as one of their primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members. Such a program may serve any purpose otherwise permitted under this Act.

(5) PROGRAMS THAT SUPPORT MENTORING.—Programs that support and strengthen direct-service youth mentoring programs by increasing State resources dedicated to mentoring and to allow mentoring partnerships to assist direct-service mentoring programs through subgrants, to promote quality standards for mentoring programs, to expand mentoring opportunities tailored to the needs and circumstances of youth, to increase the number of at-risk youth in the State receiving mentoring from screened and trained adult mentors; and

(6) PROGRAMS THAT BUILD STATE AND NATIONAL MENTORING INFRASTRUCTURE.—Programs to create statewide Mentoring Partnerships or implement youth mentoring projects of national scope.

(7) OTHER INNOVATIVE AND MODEL PROGRAMS.—Any other innovative and model programs that the Corporation considers appropriate.

(b) REQUIREMENTS.—

(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, which may include one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

(2) MATCHING FUNDS.—

(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 76 percent of the total cost of the program in the first year and may not exceed 50 percent of the total cost of the program for the remaining years of the grant, including if the grant is extended for 1 year.

(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

(ii) may provide for such share through State sources or local sources, including private funds or donated services.

(3) COLLABORATION ENCOURAGED.—Each program funded under this part is encouraged to collaborate with Learn and Serve, AmeriCorps, VISTA, and the National Senior Service Corps.

(4) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.

(c) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

PART III—SOCIAL INNOVATION FUND

SEC. 198E. SOCIAL INNOVATION FUND.

(a) FINDINGS.—Congress finds the following:

(1) Social entrepreneurs and other nonprofit community organizations are developing innovative and effective solutions to national and local challenges.

(2) Increased public and private investment in replicating and expanding proven effective solutions developed by social entrepreneurs and other nonprofit community organizations, could allow those entrepreneurs and organizations to replicate and expand proven initiatives in communities.

(3) Increased public and private investment to seed new solutions to our nation's most serious challenges will create a pipeline of new social innovations.

(4) A Social Innovation Fund could leverage Federal investments to increase State, local, business, and philanthropic resources to replicate and expand proven solutions, and invest in seeding new innovations, to tackle specific identified community challenges.

(b) PURPOSES.—The purposes of this section are—

(1) to recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in tackling national and local challenges;

(2) to stimulate the development of a Social Innovation Fund that will increase private and public investment in nonprofit community organizations that are effectively addressing national and local challenges to allow such organizations to replicate and expand successful initiatives;

(3) to assess the effectiveness of—

(A) leveraging Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

(B) providing resources to replicate and expand effective initiatives; and

(C) seeding experimental initiatives.

(4) to strengthen the infrastructure to identify, invest in, and replicate and expand, initiatives with effective solutions to national and local challenges.

(c) DEFINITIONS.—In this section—

(1) the term "community organization" means a nonprofit organization that carries out innovative, effective initiatives to address community challenges;

(2) the term "covered entity" means—

(A) an existing grantmaking institution (existing as of the date on which the institution applies for a grant under this section); or

(B) a partnership between—

(i) such an existing grantmaking institution; and

(ii) an additional grantmaking institution, a State Commission, or a chief executive officer of a unit of general local government; or

(C) an individual nonprofit organization; and

(3) the term "issue area" means an area described in subsection (f)(3).

(d) PROGRAM.—The Corporation shall establish a Social Innovation Fund grant program to make grants on a competitive basis to eligible entities.

(e) PERIODS; AMOUNTS.—

(1) For covered entities described in subsection (c)(2)(A) and (B), the Corporation shall make such grants for periods of 5 years, and may renew the grants for additional periods of 5 years, in amounts of not less than $1,000,000 and not more than $10,000,000 per year.

(2) For covered entities described in subsection (c)(2)(C), the Corporation shall make grants for up to 3 years, and may renew the grants for additional periods of 3 years, in amounts up to $500,000 per year.

(f) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall—

(1) be a covered entity;

(2) be focused on—

(A) serving a specific local geographical area; or

(B) addressing a specific issue area, in geographical areas that have the highest need in that issue area, as demonstrated by statistics concerning that need.

(3) be focused on improving measurable outcomes relating to—

(A) education for economically disadvantaged students;

(B) child and youth development;

(C) reductions in poverty or increases in economic opportunity for economically disadvantaged individuals;

(D) health, including access to health care and health education;

(E) resource conservation and local environmental quality;

(F) individual or community energy efficiency;

(G) civic engagement; or

(H) reductions in crime;

(4) For covered entities described in subsection (c)(2)(A) and (B), have an evidence-based decision-making strategy including, but not limited to—

(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; and

(B) a well-articulated plan to—

(i) replicate and expand research-proven initiatives that have been shown to produce sizeable, sustained benefits to participants or society; or

(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of approaches.

(5) For covered entities described in subsection (c)(2)(C), have an evidence-based decision-making strategy including, but not limited to—

(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; or

(B) a well-articulated plan to—

(i) conduct rigorous evaluations to assess the effectiveness of approaches; or

(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of approaches to addressing national or local challenges.

(6) For covered entities described in subsection (c)(2)(A) and (B), have a well-articulated process for assessing community organizations for subgrants; and

(7) have appropriate policies, as determined by the Corporation, that protect against conflict of interest, self-dealing, and other improper practices.

(g) APPLICATION.—To be eligible to receive a grant under subsection (d) for national leveraging capital, an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may specify, including, at a minimum—

(1) an assurance that the eligible entity will—

(A) use the funds received through that capital in order to make subgrants to community organizations that will use the funds to test new initiatives, or replicate or expand proven initiatives in low-income communities;

(B) use the funds for growth capital or to test new initiatives;

(C) in making decisions about subgrants for communities, consult with a diverse cross section of community representatives in the decisions, including individuals from the public, nonprofit, and for-profit private sectors; and

(D) make subgrants of a sufficient size and scope to enable the community organizations to build their capacity to test or manage initiatives, and sustain replication or expansion of the initiatives;

(2) an assurance that the eligible entity will not make any subgrants to the parent organizations of the eligible entity, a subsidiary organization of the parent organization, or, if the eligible entity applied for funds under this section as a partnership, any member of the partnership;

(3) an identification of, as appropriate—

(A) the specific local geographical area referred to in subsection (f)(2)(A) that the eligible entity is proposing to serve; or

(B) geographical areas referred to in subsection (f)(2)(B) that the eligible entity is likely to serve;

(4)(A) information identifying the issue areas in which the eligible entity will work to improve measurable outcomes;

(B) statistics on the needs related to those issue areas in, as appropriate—

(i) the specific local geographical area described in paragraph (3)(A); or

(ii) the geographical areas described in paragraph (3)(B), including statistics demonstrating that those geographical areas have the highest need in the specific issue area that the eligible entity is proposing to address; and

(C) information on the specific measurable outcomes related to the issue areas involved that the eligible entity will seek to improve;

(5) information describing the process by which the eligible entity selected, or will select, community organizations to receive the subgrants, to ensure that the community organizations—

(A) are institutions with proven initiatives, with track records of achieving specific outcomes related to the measurable outcomes for the eligible entity, or are institutions that articulate a new solution with potential for substantial impact;

(B) articulate measurable outcomes for the use of the subgrant funds that are connected to the measurable outcomes for the eligible entity;

(C) will use the funds to test, replicate or expand their initiatives;

(D) provide a well-defined plan for testing, replicating or expanding the initiatives funded;

(E) can sustain the initiatives after the subgrant period concludes through reliable public revenues, earned income, or private sector funding;

(F) have strong leadership and financial and management systems;

(G) are committed to the use of data collection and evaluation for improvement of the initiatives;

(H) will implement and evaluate innovative initiatives, to be important contributors to knowledge in their fields; and

(I) will meet the requirements for providing matching funds specified in subsection (k);

(6) information about the eligible entity, including its experience managing collaborative initiatives, or assessing applicants for grants and evaluating the performance of grant recipients for outcome-focused initiatives, and any other relevant information;

(7) a commitment to meet the requirements of subsection (i) and a plan for meeting the requirements, including information on any funding that the eligible entity has secured to provide the matching funds required under that subsection;

(8) a description of the eligible entity's plan for providing technical assistance and support, other than financial support, to the community organizations that will increase the ability of the community organizations to achieve their measurable outcomes;

(9) information on the commitment, institutional capacity, and expertise of the eligible entity concerning—

(A) collecting and analyzing data required for evaluations, compliance efforts, and other purposes;

(B) supporting relevant research; and

(C) submitting regular reports to the Corporation, including information on the initiatives of the community organizations, and the replication or expansion of such initiatives; and

(10) a commitment to use data and evaluations to improve their model and be more transparent about its challenges; and

(11) a commitment to cooperate with any evaluation activities undertaken by the Corporation.

(h) SELECTION CRITERIA.—In selecting eligible entities to receive grants under this section, the Corporation shall—

(1) select eligible entities on a competitive basis;

(2) select eligible entities on the basis of the quality of their selection process, as described in subsection (g)(5), the capacity of the eligible entities to manage Social Innovation Funds, and the potential of the eligible entities to sustain the Funds after the conclusion of the grant period;

(3) solicit broad community perspectives that inform grant-making decisions;

(4) include among the grant recipients eligible entities that propose to provide subgrants to serve communities (such as rural low-income communities) that the eligible entities can demonstrate are significantly philanthropically underserved; and

(5) select a geographically diverse set of eligible entities.

(i) MATCHING FUNDS FOR GRANTS.—

(1) IN GENERAL.—The Corporation may not make a grant to an eligible entity under this section for a Community Solutions Fund unless the entity agrees that, with respect to the cost described in subsection (d) for that Fund, the entity will make available matching funds in an amount not less than $1 for every $1 of funds provided under the grant.

(2) NON-FEDERAL SHARE.—The eligible entity shall provide the matching funds in cash.

(j) RESERVED PROGRAM FUNDS FOR RESEARCH AND EVALUATION.—The Corporation may reserve up to 5 percent of total program funds appropriated to carry out this section for a fiscal year to support research and evaluation related to this section.

(k) ADVISORY PANEL.—

(1) IN GENERAL.—Under authority of section 195 (f) of the National and Community Service Act of 1990, the Chief Executive Officer, in consultation with the Board, shall establish an Advisory Panel to provide advice and input about carrying out this section. The Advisory Panel may collectively have experience in—

(A) social entrepreneurship and social enterprise;

(B) the management and operation of small nonprofit organizations and large nonprofit organizations;

(C) business, including a business with experience working with a startup enterprises, experience growing businesses, experience with corporate social responsibility or a business with experience working with the nonprofit sector;

(D) philanthropy, including an understanding of philanthropic challenges in urban and rural areas and in areas that are philanthropically underserved;

(E) qualitative and quantitative social science research, including scientifically-rigorous evaluations of program effectiveness; data driven decision making and evidence-based policymaking;

(F) volunteering, including effective volunteer management; and

(G) government, including the management of government agencies and the role of government programs in providing services.

(2) OTHER QUALIFICATIONS.—The Advisory Panel shall include a diverse range of individuals, including young people, and individuals from diverse economic, racial, ethnic, and religious backgrounds, and individuals from diverse geographic areas.

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

SEC. 198F. NATIONAL SERVICE PROGRAMS CLEARINGHOUSE.

(a) IN GENERAL.—The Corporation shall provide assistance, either by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish one or more clearinghouses for the national service laws.

(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

(1) assist entities carrying out State or local service-learning and national service programs with needs assessments and planning;

(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws unless the recipient is receiving funds for such purpose under part III of subtitle B and under subtitle H;

(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

(4) facilitate communication among entities carrying out service-learning programs and programs offered under the national service laws and participants in such programs;

(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, Territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

(7) disseminate applications in languages other than English;

(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative curricula related to service-learning, and service-learning projects; and

(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

(11) disseminate effective strategies for working with disadvantaged youth in national service programs as determined by organizations with an established expertise working with such youth;

(12) collaborate with State and local Mentoring Partnerships and directly with youth mentoring organizations to disseminate effective strategies for the recruiting, training, and screening of responsible adult mentors and best practices for building quality relationships between adult mentors and youth mentees; and

(13) carry out such other activities as the Chief Executive Officer determines to be appropriate.

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Subtitle J—Training and Technical Assistance

SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

(a) IN GENERAL.—The Corporation shall conduct, either directly or through grants, contracts, or cooperative agreements, including through State Commissions on National and Community Service, appropriate training and technical assistance to—

(1) programs receiving assistance under the national service laws; and

(2) entities (particularly those in rural areas and underserved communities)—

(A) that desire to carry out or establish national service programs;

(B) that desire to apply for assistance under the national service laws; or

(C) that desire to apply for a subgrant under the national service laws.

(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

(1) providing technical assistance to those applying to carry out national service programs or those carrying out national service programs;

(2) promoting leadership development in national service programs;

(3) improving the instructional and programmatic quality of national service programs;

(4) developing the management and budgetary skills of those operating or overseeing national service programs, including to increase the cost effectiveness of the programs under the national service laws;

(5) providing for or improving the training provided to the participants in programs under the national service laws;

(6) facilitating the education of national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

(7) training of those operating or overseeing national service programs in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner which results in high quality service and the desire of participants or volunteers to continue to serve in other capacities after the program is completed;

(8) training of those operating or overseeing national service programs in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the program;

(9) training of those operating or overseeing national service programs to effectively accommodate people with disabilities to increase the participation of people with disabilities in national service programs. Such activities may utilize funding from the reservation of funds to increase the participation of individuals with disabilities as described in section 129(j);

(10) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation and to coordinate community-wide planning and service;

(11) providing training and technical assistance for the National Senior Service Corps, including providing such training and technical assistance to programs receiving assistance under section 201 of the Domestic Volunteer Service Act of 1973; and

(12) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

(c) PRIORITY.—The Corporation shall give priority to programs under the national service laws and those entities eligible to establish programs under the national service laws seeking training or technical assistance that—

(1) seek to carry out high quality programs where the services are needed most;

(2) seek to carry out high quality programs where national service programs do not currently exist or where the programs are too limited to meet community needs;

(3) seek to carry out high quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

(4) assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.

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[TITLE III—POINTS OF LIGHT FOUNDATION

[SEC. 301. SHORT TITLE.

[This title may be cited as the "The Points of Light Foundation Act".

[SEC. 302. FINDINGS AND PURPOSES.

[(a) FINDINGS.—Congress finds that—

[(1) community service and service to others is an integral part of American tradition;

[(2) existing volunteers and volunteer programs should be praised for their efforts in helping and serving others;

[(3) the definition of a successful life includes service to others;

[(4) individuals should be encouraged to volunteer their time and energies in community service efforts;

[(5) if asked to volunteer or participate in community service, most Americans will do so;

[(6) institutions should be encouraged to volunteer their resources and energies and should encourage volunteer and community service among their members, employees, affiliates; and

[(7) volunteer and community service programs are intended to complement and not replace governmental responsibilities.

[(b) PURPOSE.—It is the purpose of this title—

[(1) to encourage every American and every American institution to help solve our most critical social problems by volunteering their time, energies and services through community service projects and initiatives;

[(2) to identify successful and promising community service projects and initiatives, and to disseminate information concerning such projects and initiatives to other communities in order to promote their adoption nationwide; and

[(3) to discover and encourage new leaders and develop individuals and institutions that serve as strong examples of a commitment to serving others and to convince all Americans that a successful life includes serving others.

[SEC. 303. AUTHORITY.

[(a) IN GENERAL.—The President, acting through the Corporation, is authorized to designate a private, nonprofit organization (hereinafter referred to in this title as the Foundation) to receive funds pursuant to section 501(b) in furtherance of activities under section 302, upon the determination of the Corporation that such organization is capable of carrying out the undertakings described in section 302. Any such designation by the Corporation shall be revocable.

[(b) CONSTRUCTION.—Nothing in this Act shall be construed either—

[(1) to cause the Foundation to be deemed an agency, establishment, or instrumentality of the United States Government; or

[(2) to cause the directors, officers or employees of the Foundation to be deemed officers or employees of the United States.

[SEC. 304. GRANTS TO THE FOUNDATION.

[(a) IN GENERAL.—Funds made available pursuant to sections 303 and 501(b) shall be granted to the Foundation by a department or agency in the executive branch of the United States Government designated by the President—

[(1) to assist the Foundation in carrying out the undertakings described in section 302; and

[(2) for the administrative expenses of the Foundation.

[(b) INTEREST EARNED ON ACCOUNTS.—Notwithstanding any other provision of law, the Foundation may hold funds granted to it pursuant to this title in interest-bearing accounts, prior to the disbursement of such funds for purposes specified in subsection (a), and may retain for such purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress.

[SEC. 305. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.

[(a) COMPLIANCE.—Grants may be made to the Foundation pursuant to this title only if the Foundation agrees to comply with the requirements of this title. If the Foundation fails to comply with the requirements of this title, additional funds shall not be released until the Foundation brings itself into compliance with such requirements.

[(b) ACTIVITIES.—The Foundation may use funds provided under this title only for activities and programs consistent with the purposes described in sections 302 and 304.

[(c) LIMITATION.—The Foundation shall not issue any shares of stock or declare or pay any dividends.

[(d) COMPENSATION.—No part of the funds available to the Foundation shall inure to the benefit of any board member, officer, or employee of the Foundation, except as salary or reasonable compensation for services or expenses. Compensation for board members shall be limited to reimbursement for reasonable costs of travel and expenses.

[(e) CONFLICTS OF INTEREST.—No director, officer, or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation that affects his or her financial interests or the financial interests of any corporation, partnership, entity, or organization in which he or she has a direct or indirect financial interest.

[(f) POLITICAL ACTIVITY.—The Foundation shall not engage in lobbying or propaganda for the purpose of influencing legislation, and shall not participate or intervene in any political campaign on behalf of any candidate for public office.

[(g) PRIVATE SECTOR CONTRIBUTIONS.—During the second and third fiscal years in which funds are provided to the Foundation under this title, the Foundation shall raise from private sector donations an amount equal to not less than 25 percent of any funds provided to the Foundation under this title in such fiscal year. Funds shall be released to the Foundation during such fiscal year only to the extent that the matching requirement of the subsection has been met.

[(h) AUDIT OF ACCOUNTS.—The accounts of the Foundation shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. The reports, of each such independent audit shall be included in the annual report required by subsection (l).

[(i) AUDITS BY AGENCIES.—In fiscal years in which the Foundation is receiving grants under this title, the accounts of the Foundation may be audited at any time by any agency designated by the President. The Foundation shall keep such records as will facilitate effective audits.

[(j) CONGRESSIONAL OVERSIGHT.—In fiscal years in which the Foundation is receiving grants under this title, the Foundation shall be subject to appropriate oversight procedures of Congress.

[(k) DUTIES.—The Foundation shall ensure—

[(1) that recipients of financial assistance provided by the Foundation under this title, shall keep separate accounts with respect to such assistance and such records as may be reasonably necessary to disclose fully—

[(A) the amount and the disposition by such recipient of the assistance received from the Foundation;

[(B) the total cost of the project or undertaking in connection with which such assistance is given or used;

[(C) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources; and

[(D) such other records as will facilitate effective audits; and

[(2) that the Foundation, or any of its duly authorized representatives including any agency designated by the President pursuant to subsection (i) shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient that are pertinent to assistance provided from funds granted pursuant to this title.

[(l) ANNUAL REPORTS.—The Foundation shall prepare and submit to the President and to the appropriate Committees of Congress an annual report, that shall include a comprehensive and detailed description of the Foundation's operations, activities, financial condition, and accomplishments for the fiscal year preceding the year in which the report is submitted. Such report shall be submitted not later than 3 months after the conclusion of any fiscal year in which the Foundation receives grants under this title.]

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TITLE V—AUTHORIZATION OF APPROPRIATIONS

[SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

[(a) TITLE I.—

[(1) SUBTITLE B.—

[(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I, $45,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1996.

[(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

[(i) not more than 63.75 percent shall be available to provide financial assistance under subpart A of part I of subtitle B of title I;

[(ii) not more than 11.25 percent shall be available to provide financial assistance under subpart B of part I of such subtitle; and

[(iii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle.

[(2) SUBTITLES C, D, AND H.—

[(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to provide national service educational awards under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer or the Inspector General of the Corporation may determine to be necessary, $300,000,000 for fiscal year 1994, $500,000,000 for fiscal year 1995, and $700,000,000 for fiscal year 1996.

[(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to 15 percent shall be made available to provide financial assistance under section 125, under subsections (b) and (c) of section 126, and under subtitle H of title I.

[(3) SUBTITLE E.—There are authorized to be appropriated to provide financial assistance under subtitle E of title I, such sums as may be necessary for each of the fiscal years 1995 through 1996.

[(4) ADMINISTRATION.—

[(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act $40,000,000 for fiscal year 1994, $60,000,000 for fiscal year 1995, and $70,000,000 for fiscal year 1996.

[(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year—

[(i) up to 60 percent shall be made available to the Corporation for the administration of this Act; and

[(ii) the remainder shall be available to provide financial assistance under section 126(a).

[(b) TITLE III.—There are authorized to be appropriated to carry out title III $5,000,000 for each of the fiscal years 1994 through 1996.

[(c) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.

[(d) SPECIFICATION OF BUDGET FUNCTION.—The authorizations of appropriations contained in this section shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment, and social services, and, as such, shall be considered to be related to the programs of the Departments of Labor, Health and Human Services, and Education for budgetary purposes.]

SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

(a) TITLE I.—

(1) SUBTITLE B.—

(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

(i) $97,000,000 for fiscal year 2010; and

(ii) such sums as may be necessary for each of fiscal years 2011 through 2014.

(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

(i) not more than 60 percent shall be available to provide financial assistance under part I of subtitle B of title I;

(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

(iii) not less than 15 percent shall be available to provide financial assistance under part III of such subtitle.

(C) SPECIAL ALLOCATIONS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to $10,000,000 shall be for summer of service grants, $20,000,000 for youth engagement zones, $7,000,000 for Campuses of Service, and up to $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 120(c)(8).

(2) SUBTITLES C, D, AND H.—

(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to administer the National Service Trust and disburse national service educational awards and scholarships under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer of the Corporation may determine to be necessary, such sums as may be necessary for each of fiscal years 2010 through 2014.

(B) PRIORITY.—Notwithstanding any other provision of this Act, in obligating the amounts made available pursuant to the authorization of appropriations in subparagraph (C), priority shall be given to programs carried out in areas for which the President has declared the existence of a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), as a consequence of Hurricanes Katrina and Rita.

(3) SUBTITLE E.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, $35,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

(4) ADMINISTRATION.—

(A) CORPORATION.—There are authorized to be appropriated for the Corporation's administration of the national service laws such sums as may be necessary for each of fiscal years 2010 through 2014.

(B) STATE COMMISSIONS.—There are authorized to be appropriated for assistance to State Commissions under section 126(a), such sums as may be necessary for each of fiscal years 2010 through 2014.

(5) TRAINING AND TECHNICAL ASSISTANCE.—Of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve up to

2.5 percent to carry out subtitle J of this Act. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which they are reserved.

(b) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.

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STRENGTHEN AMERICORPS PROGRAM ACT

* * * * * * *

[SEC. 2. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

[(a) DEFINITIONS.—In this Act, the terms "approved national service position" and "Corporation" have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

[(b) TIMING AND RECORDING REQUIREMENTS.—

[(1) IN GENERAL.—Notwithstanding subtitles C and D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq., 12601 et seq.), and any other provision of law, in approving a position as an approved national service position, the Corporation—

[(A) shall approve the position at the time the Corporation—

[(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of that Act (42 U.S.C. 12611 et seq.) or title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); or

[(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position may be approved under section 123 of the National and Community Service Act of 1990 (42 U.S.C. 12573); and

[(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program.

[(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

[(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

[(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

[(A) during fiscal year 2003 (before or after the date of enactment of this Act); and

[(B) during any subsequent fiscal year.

[(c) RESERVE ACCOUNT.—

[(1) ESTABLISHMENT AND CONTENTS.—

[(A) ESTABLISHMENT.—Notwithstanding subtitles C and D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq., 12601 et seq.), and any other provision of law, within the National Service Trust established under section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), the Corporation shall establish a reserve account.

[(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

[(i) during fiscal year 2003, a portion of the funds that were appropriated for fiscal year 2003 or a previous fiscal year under section 501(a)(2) (42 U.S.C. 12681(a)(2)), were made available to carry out subtitle C or D of title I of that Act, and remain available; and

[(ii) during fiscal year 2004 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C or D of title I of that Act.

[(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

[(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions; or

[(B) obligates the funds for the payment of such awards for such previously approved national service positions.

[(d) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (b)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (b)(3).

[(e) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (c), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)) shall be available for payments of national service educational awards under section 148 of that Act (42 U.S.C. 12604).]

DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) * * *

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(b) TABLE OF CONTENTS.—The table of contents is as follows:

* * * * * * *

TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

PART A—VOLUNTEERS IN SERVICE TO AMERICA

* * * * * * *

Sec. 103A. VISTA programs of national significance.

* * * * * * *

PART C—SPECIAL VOLUNTEER PROGRAMS

* * * * * * *

[Sec. 123. Technical and financial assistance.]
Sec. 123. Financial assistance.

* * * * * * *

[TITLE II—NATIONAL SENIOR VOLUNTEER CORPS]

TITLE II—NATIONAL SENIOR SERVICE CORPS

* * * * * * *

PART D—GENERAL PROVISIONS

* * * * * * *

[Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.]
Sec. 224. Use of locally generated contributions in National Senior Service Corps.

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Sec. 228. Continuity of service.
Sec. 229. Acceptance of donations.

* * * * * * *

TITLE V—AUTHORIZATION OF APPROPRIATIONS

* * * * * * *

[Sec. 502. National Senior Volunteer Corps.]
Sec. 502. National Senior Service Corps.

* * * * * * *

VOLUNTEERISM POLICY

SEC. 2. (a) Because of the long-standing importance of volunteerism throughout American history, it is the policy of the Congress to foster the tradition of volunteerism through greater involvement on the part of [both young and older citizens] *citizens of all ages and backgrounds*.

(b) The purpose of this Act is to foster and expand voluntary citizen service in communities throughout the Nation in activities designed to help the poor, the disadvantaged, the vulnerable, and the elderly. In carrying out this purpose, the Corporation for National and Community Service shall utilize to the fullest extent the programs authorized under this Act, coordinate with other Federal, State, and [local agencies and utilize the energy, innovative spirit, experience, and skills of all Americans.] *local agencies, expand relationships with, and support for, the efforts of civic, community, and educational organizations, and utilize the energy, innovative spirit, experience, and skills of all Americans.*

TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

PART A—VOLUNTEERS IN SERVICE TO AMERICA

STATEMENT OF PURPOSE

SEC. 101. This part provides for the Volunteers in Service to America (VISTA) program of full-time volunteer service, together with appropriate powers and responsibilities designed to assist in the development and coordination of such program. The purpose of this part is to strengthen and supplement efforts to eliminate and alleviate poverty and poverty-related problems in the United States by encouraging and enabling persons from all walks of life, all geographical areas, and all age groups, including low-income individuals, elderly and retired Americans, to perform meaningful and constructive volunteer service in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by persons [afflicted with] *affected by* such problems. In addition, the objectives of this part are to generate the commitment of private sector resources, to encourage volunteer service at the [local level, and to strengthen local agencies and organizations to carry out the purpose of this part.] *local level, to support efforts by local agencies and organizations to achieve long-term sustainability of projects, consistent with section 185 of the National and Community Service Act of 1990, initiated or expanded under the VISTA program activities, and to strengthen local agencies and community organizations to carry out the purpose of this part.*

* * * * * * *

SELECTION AND ASSIGNMENT OF VOLUNTEERS

SEC. 103. (a) The Director, on the receipt of applications by public or nonprofit private organizations to receive volunteers under this part, may assign volunteers selected under subsection (b) to work in appropriate projects and programs sponsored by such organizations, including work—

(1) in meeting the health, education, welfare, or related needs of Indians living on reservations or Federal trust lands, of migratory and seasonal farmworkers and their families, and of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, *the Commonwealth of the Northern Mariana Islands,* or the Virgin Islands;

(2) in the care and rehabilitation of mentally ill, developmentally disabled, and other [handicapped] *disabled* individuals, especially those with severe [handicaps] *disabilities*;

(3) in addressing the problems of the homeless, the [jobless, the hungry, and low-income] *unemployed, the hungry, and low-income* youths;

(4) in addressing the special needs connected with alcohol and drug abuse [prevention, education,] *through prevention, education, rehabilitation, and treatment,* and related activities, consistent with the purpose of this part;

(5) in addressing significant health care problems, including, *mental illness,* chronic and life-threatening illnesses and health

care for homeless individuals (especially homeless children) through prevention, treatment, and community-based care activities;

(6) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act or the Community Service Block Grant Act, titles VIII and X of the Economic Opportunity Act of 1964, the Headstart act, the Community Economic Development Act of 1981, or other similar Acts, in furtherance of the purpose of this title[; and]*;*

(7) in strengthening, supplementing, and expanding efforts to address the problem of illiteracy throughout the United States[.]*;*

(8) in the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling;

(9) in developing and carrying out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education;

(10) in initiating and supporting before-school and after-school programs servicing children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills, or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children;

(11) in establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and other areas where such programs are needed most;

(12) in assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services; and

(13) in addressing the health and wellness of low-income and underserved communities, including programs to increase access to preventive services, insurance, and health care.

(b)(1) The Director shall establish [recruitment and placement procedures] *placement procedures that involve sponsoring organizations and* that offer opportunities for both local and national placement of volunteers for service under this part.

(2)(A) The Director shall establish and maintain within the national headquarters of the Corporation (or any successor entity of such agency) a volunteer placement office which shall be responsible for all functions [related to the recruitment and] *related to the* placement of volunteers under this part. Such functions and activities shall be carried out in coordination or [in conjunction with recruitment and] *in conjunction with the* placement activities carried out under the National and Community Service Trust Act of [1993. Upon the transfer of the functions of the ACTION Agency to the Corporation for National and Community Service, the office established under this subparagraph shall be merged with the re-

cruitment office of such Corporation. At no time after such transfer of functions shall more than one office responsible primarily for recruitment exist within the Corporation.] *1993.*

(B) Such volunteer placement office shall develop, operate, and maintain a current and comprehensive [central information system that shall, on request, promptly provide] *database that provides* information—

(i) * * *

* * * * * * *

(C) The Director shall assign or hire as necessary, such additional national, regional, and State personnel to carry out the functions described in this subsection and subsection (c) as may be necessary to ensure that such functions are carried out in a [timely and effective] *timely and cost-effective* manner. The Director shall give priority in the hiring of such additional personnel to individuals who have formerly served as volunteers under this part and to individuals who have specialized experience in [the recruitment of volunteers] *recruitment and management of volunteers*.

(3) Volunteers shall be selected from among qualified individuals submitting an application for such service at such time, in such form, and containing such information as may be necessary to evaluate the suitability of each individual for such service and to determine, in accordance with paragraph (7), the most appropriate assignment for each such volunteer. The Director shall approve the application of each individual who applies in conformance with this subsection and who, on the basis of the information provided in the application, is determined by the Director to be qualified to serve as a volunteer under this part. *The Director shall give priority to—*

(A) disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) and low-income adults; and

(B) retired adults of any profession, but with an emphasis on those professions whose services and training are most needed in a community, such as the health care professions, teaching, counseling, and engineering and other professions requiring a high level of technical and project management skills, to utilize their experience, including professional skills, in the VISTA program.

* * * * * * *

(5)(A) * * *

(B) In carrying out subparagraph (A), the Director shall utilize the [information system] *database* established under paragraph (2)(B).

* * * * * * *

(c)(1) The Director, in conjunction with the [personnel described in subsection (b)(2)(C)] *personnel described in subsection (b)(2)(C) and sponsoring organizations*, shall engage in public awareness and recruitment activities. Such activities may include—

(A) public service announcements through radio, television, *the Internet and related technologies,* and the print media;

(B) advertising through the *Internet and related technologies,* print media, direct mail, and other means;

(C) disseminating information about opportunities for service as a volunteer under this part to relevant entities including institutions of higher education and other educational institutions (including libraries), professional associations, community-based agencies, youth service and volunteer organizations, business organizations, labor unions, senior citizens organizations, *offices of economic development, State employment security agencies, employment offices,* and other institutions and organizations from or through which potential volunteers may be recruited;

* * * * * * *

(F) publicizing national service educational awards available under the [National and Community Service Trust Act of 1993] *National and Community Service Act of 1990*;

(G) providing[, on request,] technical assistance with the recruitment of volunteers under this part to programs and projects receiving assistance under this part; and

* * * * * * *

(3) The Director shall consult with the Director of the Peace Corps to coordinate the recruitment and public awareness activities carried out under [this subsection] *this subsection and related public awareness and recruitment activities under the national service laws* with those of the Peace Corps and to develop joint procedures and activities for the recruitment of volunteers to serve under this part.

(4) [Beginning in fiscal year 1991 and for each fiscal year thereafter, for the purpose] *For the purpose* of carrying out this subsection, the Director shall obligate not less than [1.5 percent] *2 percent* of the amounts appropriated for each fiscal year under section 501(a).

(d) The Director shall provide each low-income community volunteer with an individual plan for job advancement or for transition to a situation leading to gainful employment. [Whenever feasible, such efforts shall be coordinated with an appropriate private industry council established under the Job Training Partnership Act or local workforce investment board established under section 117 of the Workforce Investment Act of 1998.] *Whenever feasible, such efforts shall be coordinated with an appropriate local workforce investment board established under section 117 of the Workforce Investment Act of 1998.*

* * * * * * *

(g) Volunteers under this part shall not be assigned to work in a program or project in any community unless the application for such program or project contains evidence of local support [and has been submitted to the Governor or other chief executive officer of the State concerned, and such Governor or other chief executive officer has not, within 45 days of the date of such submission, notified the Director in writing, supported by a statement of reasons, that such Governor or other chief executive officer disapproves such program or project. In the event of a timely request in writing, supported by a statement of reasons, by the Governor or other chief executive officer of the State concerned, the Director shall terminate a program or project or the assignment of a volunteer to a

program or project not later than 30 days after the date such request is received by the Director, or at such later date as is agreed upon by the Director and such Governor or other chief executive officer.**]**.

* * * * * * *

(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this title, consistent with the provisions of section 186 of the National and Community Service Act of 1990.

SEC. 103A. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

(a) IN GENERAL.—With not less than one-third of the funds made available under subsection (d) in each fiscal year, the Director shall make grants for VISTA positions to support programs of national significance. Each program for which a grant is received under this subsection shall be carried out in accordance with the requirements applicable to that program.

(b) ACTIVITIES SUPPORTED.—The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern low-income and rural communities in the Nation:

(1) In the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling.

(2) In developing and carrying-out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education.

(3) In initiating and supporting before-school and after-school programs in low-income communities that may include such activities as establishing mentoring relationships, physical education, tutoring, instruction in 21st century thinking skills, life skills, and study skills, community service, service-learning, nutrition and health education, and other activities aimed at keeping children, safe, educated, and healthy, which serve the children in such community.

(4) In establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and areas where such programs are needed most.

(5) In assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services.

(6) In addressing the health and wellness of low-income and underserved communities across our Nation, including programs to fight childhood obesity through nutrition, physical fitness, and other associated life skills education programs and programs to increase access to preventive services, insurance, and health care.

(c) REQUIREMENTS.—

(1) ELIGIBILITY.—In order to receive a grant under subsection (a), an applicant shall submit an application to the Director at such time and in such manner as the Director requires and receive approval of the application. Such application shall, at a minimum, demonstrate to the Director a level of expertise in carrying out such a program.

(2) SUPPLEMENT NOT SUPPLANT.—Funds made available under subsection (d) shall be used to supplement and not supplant the number of VISTA volunteers engaged in programs addressing the problem for which such funds are awarded unless such sums are an extension of funds previously provided under this title.

(d) FUNDING.—

(1) IN GENERAL.—From the amounts appropriate under section 501 for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).

(2) LIMITATION.—No funds shall be made available to the Director to make grants under subsection (a) unless the amounts appropriated under section 501 available for such fiscal year to carry out part A are sufficient to maintain the number of projects and volunteers funded under part A in the preceding fiscal year.

(e) INFORMATION.—The Director shall widely disseminate information on grants that may be made under this section, including through volunteer recruitment programs being carried out by public or private non-profit organizations.

TERMS AND PERIODS OF SERVICE

SEC. 104. (a) * * *

* * * * * * *

(d) The Director shall establish a procedure, including notice and opportunity to be heard, for volunteers under this part to present and obtain resolution of grievances and to present their views in connection [with the terms and conditions of their service.] *with the terms and conditions of their service or any adverse action, such as termination, proposed by the sponsoring organization. The procedure shall provide for an appeal to the Director of any proposed termination.* The Director shall promptly provide to each volunteer in service on the date of enactment of this Act, and to each such volunteer beginning service thereafter, information regarding such procedure [and the terms and conditions of their service].

* * * * * * *

SUPPORT SERVICE

SEC. 105. (a)(1)(A) * * *

(B) [Such stipend shall not exceed $95 per month in fiscal year 1994, but shall be set at a minimum of $100 per month, and a maximum of $125 per month assuming the availability of funds to accomplish such maximum, during the service of the volunteer after October 1, 1994. The Director may provide a stipend of a maximum of $200 per month in the case of persons] *Such stipend shall be set at a minimum of $125 per month and a maximum of $150 per month, subject to the availability of funds to accomplish*

such a maximum. The Director may provide a stipend of $250 per month in the case of persons who have served as volunteers under this part for at least 1 year and who, in accordance with standards established in such regulations as the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers.

* * * * * * *

[VISTA LITERACY CORPS

[SEC. 109. (a) As part of the Volunteers in Service to America program established under this part, the Director shall establish a VISTA Literacy Corps for the purpose of developing, strengthening, supplementing, and expanding efforts of both public and nonprofit organizations at the local, State, and Federal level to mobilize local, State, Federal, and private sector financial and volunteer resources to address the problem of illiteracy throughout the United States.

[(b) The Director shall assign volunteers to projects and programs that meet the antipoverty criteria of part A that provide assistance to functionally illiterate and illiterate individuals who are unserved or underserved by literacy education programs, with special emphasis upon disadvantaged individuals having the highest risk of illiteracy, and individuals with the lowest reading and educational level of competence.

[(c)(1) The Director shall assign volunteers under this subsection to projects and programs that utilize volunteers to address the needs of illiterate individuals.

[(2) Programs and projects under this subsection may be administered by public or private nonprofit agencies and organizations including local, State, and national literacy councils and organizations; community-based nonprofit organizations; local and State education agencies; local and State agencies administering adult basic education programs; educational institutions; libraries; antipoverty organizations; local, municipal, and State governmental entities, and eligible providers of employment and training activities under subtitle B of title I of the Workforce Investment Act of 1998.

[(3) In the assignment of volunteers under this subsection the Director shall give priority consideration to—

[(A) programs and projects that assist illiterate individuals in greatest need of assistance residing in unserved or underserved areas with the highest concentrations of illiteracy and of low income individuals and families;

[(B) projects and programs serving individuals reading at the zero to fourth grade levels;

[(C) projects and programs focusing on providing literacy services to high risk populations;

[(D) projects and programs operating in areas with the highest concentration of individuals and families living at or below the poverty level;

[(E) projects and programs providing literacy services to parents of disadvantaged children between the ages of two and eight, who may be educationally at risk; and

[(F) Statewide programs and projects that encourage the creation of new literacy efforts, encourage the coordination of

intrastate literacy efforts and provide technical assistance to local literacy efforts.

[(d)(1) The Director shall assign volunteers under this subsection to projects and programs that primarily utilize volunteers to tutor illiterate individuals.

[(2) Programs and projects under this subsection may be administered by local public or private nonprofit agencies and organizations including local literacy councils and organizations, community-based nonprofit organizations, local educational agencies, local agencies administering adult basic education programs, local educational institutions, libraries, antipoverty organizations, local and municipal governmental entities, and eligible providers of employment and training activities under subtitle B of title I of the Workforce Investment Act of 1998.

[(3) In the assignment of volunteers under this subsection the Director shall give priority consideration to local programs and projects that assist illiterate individuals in greatest need of assistance residing in unserved or underserved areas with the highest concentrations of illiteracy and of low income individuals and families.

[(e) The Director shall ensure an equitable distribution of volunteers under this section in accordance with the equitable distribution requirement of section 414 of this Act.

[(f) The VISTA Literacy Corps shall consist of all volunteers serving under part A working on literacy projects and programs.

[(g) In any fiscal year in which the services provided under part A are reduced, the services provided under this section shall be proportionately reduced.

[(h)(1) Subject to paragraph (2), with respect to any individual providing volunteer services in the program under this section regarding literacy, the Director may, with the written consent of the individual, assign the individual to serve in the general program under this part regarding literacy.

[(2) To the extent practicable and without undue delay, the Director shall ensure that a volunteer under this section is assigned to the vacancy created within the relevant literacy project or program established under this section.]

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[PART B—UNIVERSITY YEAR FOR VISTA

[STATEMENT OF PURPOSE

[SEC. 111. (a) The purpose of this part is to assist students, through service-learning and community service programs, to undertake volunteer service in such a way as to enhance the educational value of the service experience, through participation in activities that strengthen and supplement efforts to eliminate and alleviate poverty and poverty-related problems. Its purpose further is to provide technical assistance and training to encourage other students and faculty to engage in volunteer service on a part-time, self-supporting basis, to meet the needs of the poor in the surrounding community through expansion of service-learning and community service programs and otherwise.

[(b) This part provides for the University Year for VISTA (UYV) program of full-time volunteer service by students enrolled in institutions of higher education. The purpose of the UYV program is to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems by enabling students at cooperating institutions to perform meaningful and constructive volunteer service in connection with the satisfaction of course-work while attending such institutions. Volunteer service under this part is conducted in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by individuals experiencing such problems.

[AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA PROGRAM

[SEC. 112. Except as otherwise provided in this part, the Director is authorized to conduct or make grants and contracts for, or both, programs to carry out the purposes of this part in accordance with the authorities and subject to the restrictions in the provisions of part A of this title, except for the provisions of sections 103(f) and 104(d), and except that the Director may, in accordance with regulations the Director shall prescribe, determine to reduce or eliminate the stipend for volunteers serving under this part on the basis of the value of benefits provided such volunteers by the institution in question (including the reduction or waiver of tuition).

[SPECIAL CONDITIONS

[SEC. 113. (a) Volunteers serving under this part shall be enrolled for periods of service as provided for in subsection (b) of section 104, except that volunteers serving in the University Year for VISTA program may be enrolled for periods of service of not less than the duration of an academic semester or its equivalent, but volunteers enrolled for less than 12 months shall not receive stipends under section 105(a)(1). Volunteers serving under this part may receive academic credit for such service in accordance with the regulations of the sponsoring institution of higher education. Volunteers may receive a living allowance and such other support or allowances as the Director determines to be appropriate.

[(b) Grants to and contracts with institutions to administer programs under this part shall provide that prospective student volunteers shall participate substantially in the planning of such programs and that such institutions shall make available to the poor in the surrounding community all available facilities, including human resources, of such institutions in order to assist in meeting the needs of such poor persons.

[(c)(1) In making grants or contracts for the administration of UYV programs under this part, the Director shall insure that financial assistance under this Act to programs carried out pursuant to section 112 of this part shall not exceed 90 per centum of the total cost (including planning costs) of such program during the first year and such amounts less than 90 per centum as the Director, in consultation with the institution, may determine for not more than four additional years, including years in which support was received under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991–2994d). Each such grant or con-

tract shall stipulate that the institution will make every effort to (A) assume an increasing proportion of the cost of continuing a program carrying out the purpose of this part while the institution receives support under this part; (B) waive or otherwise reduce tuition for participants in such program, where such waiver is not prohibited by law; (C) utilize students and faculty at such institution to carry out, on a self-supporting basis, appropriate planning for such programs; and (D) maintain similar service-learning programs after such institution no longer receives support under this part.

[(2) The Director shall take necessary steps to monitor the extent of compliance by such institutions with commitments entered into under paragraph (1) of this subsection and shall advise the Secretary of Health and Human Services of the extent of each such institution's compliance.]

PART C—SPECIAL VOLUNTEER PROGRAMS

STATEMENT OF PURPOSE

SEC. 121. This part provides for special emphasis and demonstration volunteer programs, together with appropriate powers and responsibilities designed to assist in the development and coordination of such programs. The purpose of this part is to strengthen and supplement efforts to meet a broad range of needs, particularly those related to poverty, by encouraging and enabling persons from all walks of life and from all age groups to perform meaningful and constructive volunteer service in agencies, institutions, and [situations] *organizations* where the application of human talent and dedication may help to meet such needs. It is the further purpose of this part to provide technical and financial assistance to encourage voluntary organizations and volunteer efforts at the national, State, and local level.

* * * * * * *

SEC. 123. [TECHNICAL AND] FINANCIAL ASSISTANCE.

The Director may provide [technical and] financial assistance to Federal agencies, State and local governments and agencies, private nonprofit organizations, employers, and other private organizations that utilize or desire to utilize volunteers in carrying out the purpose of this part.

[LITERACY CHALLENGE GRANTS

[SEC. 124. (a) The Director is authorized to award challenge grants to eligible public agencies and private organizations to pay the Federal share of the costs of establishing, operating or expanding community or employee literacy programs or projects that include the use of full-time or part-time volunteers as one method of addressing illiteracy.

[(b) Each eligible organization desiring a grant under this section shall submit to the Corporation an application in such form and accompanied by such information as the Director may reasonably require. Each such application shall—

[(1) describe the activities for which assistance is sought,

[(2) contain assurances that the eligible organization will provide from non-Federal sources the non-Federal share of the cost of the program or project,

[(3) provide assurances, satisfactory to the Director, that the literacy project will be operated in cooperation with other public and private agencies and organizations interested in, and qualified to, combat illiteracy in the community where the project is to be conducted, and

[(4) contain such other information and assurances as the Director may reasonably require.

[(c)(1)(A) The Federal share of the cost of a program or project authorized by this section administered by a public agency, a nonprofit organization other than an organization described in paragraph (2), or a private, for-profit organization shall not exceed—

[(i) 80 percent in the first fiscal year;

[(ii) 70 percent in the second fiscal year; and

[(iii) 60 percent in the third fiscal year.

[(B) The non-Federal share paid by a private, for-profit organization shall be in cash.

[(2) The Federal share of the cost of a program or project administered by a nonprofit or community-based organization shall not exceed—

[(A) 90 percent in the first fiscal year;

[(B) 80 percent in the second fiscal year; and

[(C) 70 percent in the third fiscal year.

[(3) The non-Federal share provided by a public agency or a nonprofit or community-based organization may be provided in cash, or in kind, fairly evaluated, and may include the use of plant, equipment, and services.]

TITLE II—[NATIONAL SENIOR VOLUNTEER CORPS] *NATIONAL SENIOR SERVICE CORPS*

[STATEMENT OF PURPOSES

[SEC. 200. It is the purpose of—

[(1) this title to provide for National Senior Volunteer Corps, comprised of the Retired and Senior Volunteer Program, the foster grandparent program, and the senior companion program, that empower older individuals to contribute to their communities through volunteer service, enhance the lives of the volunteers and those whom they serve, and provide communities with valuable services;

[(2) part A, the Retired and Senior Volunteer Program, to utilize the vast talents of older individuals willing to share their experiences, abilities, and skills in responding to a wide variety of community needs;

[(3) part B, the foster grandparent program, to afford low-income older individuals an opportunity to provide supportive, individualized services to children with exceptional or special needs; and

[(4) part C, the senior companion program, to afford low-income older individuals the opportunity to provide personal assistance and companionship to other older individuals through volunteer service.]

SEC. 200. STATEMENT OF PURPOSE.

It is the purpose of this title to provide—

(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need;

(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide critical support services and companionship to adults at risk of institutionalization and who are struggling to maintain a dignified independent life; and

(6) for research, training, demonstration, and other program activities to increase and improve opportunities for people 55 years of age or older to meet unmet needs, including those related to public safety, public health, and emergency and disaster preparedness, relief, and recovery, in their communities.

PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 201. (a) In order to help retired individuals and working older individuals to [avail themselves of opportunities for volunteer service in their community] *share their experiences, abilities, and skills for the betterment of their communities and themselves through service*, the Director is authorized to make grants to State agencies (established or designated pursuant to section 305(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3025(a)(1))) or grants to or contracts with other public and nonprofit private agencies and organizations to pay part or all of the costs for the development or operation, or both, of volunteer service projects under this section, if the Director determines, in accordance with regulations the Director shall prescribe, that—

(1) * * *

(2) only individuals 55 years of age or older will be enrolled[, and individuals 60 years of age or older will be given priority for enrollment,] as volunteers to provide services under this part (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties),

other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

(3) the project includes such short-term training as may be necessary *either prior to or during the volunteer service* to make the most effective use of the skills and talents of participating volunteers and individuals, and provide for the payment of the reasonable expenses of such volunteers while undergoing such training; and

[(4) the project is being established and will be carried out with the advice of persons competent in the field of service involved, and or persons with interest in and knowledge of the needs of older persons.**]**

(4) the project is being designed and implemented with the advice of experts in the field of service to be delivered as well as with those who have expertise in the recruitment and management of volunteers, particularly those of the Baby Boom generation.

* * * * * * *

[(c) The Director shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 305(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3025(a)(1)), such agency itself is the recipient of the award or such agency has been afforded at least forty-five days in which to review the project application and make recommendations thereon.**]**

(c) The Director shall give priority to projects—

(1) utilizing retired scientists, technicians, engineers, and mathematicians (the STEM professionals) to improve Science, Technology, Engineering, and Mathematics (STEM) education through activities such as assisting teachers in classroom demonstrations or laboratory experiences, running after-school, weekend, or summer programs designed to engage disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or low-income, minority youth in the STEM fields and to improve mastery of the STEM content, providing field trips to businesses, institutions of higher education, museums, and other locations where the STEM professions are practiced or illuminated;

(2) utilizing retired health care professionals to improve the health and wellness of low income or rural communities;

(3) utilizing retired criminal justice professionals for programs designed to prevent disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) from joining gangs or committing crimes;

(4) utilizing retired military and emergency professionals for programs to improve public safety, emergency and disaster preparedness, relief, and recovery, search and rescue, and homeland security efforts; and

(5) utilizing retired computer science professionals, technicians of related technologies, business professionals, and others with relevant knowledge to increase, for low income individuals

and families, access to and obtaining the benefits from computers and other existing and emerging technologies.

* * * * * * *

(e) COMPETITIVE GRANT AWARDS REQUIRED.—

(1) IN GENERAL.—Effective for fiscal year 2013 and each fiscal year thereafter, each grant or contract awarded under this section in such a year shall be—

(A) awarded for a period of 3 years; and

(B) awarded through a competitive process.

(2) ELEMENTS OF COMPETITIVE PROCESS.—The competitive process required by paragraph (1)(B)—

(A) shall include the use of a peer review panel, including members with expertise in senior service and aging;

(B) shall ensure that—

(i) the resulting grants (or contracts) support no less than the volunteer service years of the previous grant (or contract) cycle in a given geographic service area;

(ii) the resulting grants (or contracts) maintain a similar program distribution; and

(iii) every effort is made to minimize the disruption to volunteers; and

(C) shall include the performance measures, outcomes, and other criteria established under subsection (f).

(3) ESTABLISHMENT OF COMPETITIVE PROCESS.—The Corporation shall establish and make available the competitive process required by paragraph (1)(B) no later than 18 months after the date of the enactment of this subsection. The Corporation shall consult with the program directors of the Retired Senior Volunteer Program during development and implementation of the competitive process.

(f) EVALUATION PROCESS REQUIRED.—

(1) IN GENERAL.—Notwithstanding section 412, and effective beginning 180 days after the date of the enactment of this subsection, each grant or contract under this section that expires in fiscal year 2011, 2012, and 2013 shall be subject to an evaluation process. The evaluation process shall be carried out, to the maximum extent practicable, in fiscal year 2010, 2011, and 2012, respectively.

(2) ELEMENTS OF EVALUATION PROCESS.—The evaluation process required by paragraph (1)—

(A) shall include performance measures, outcomes, and other criteria; and

(B) shall evaluate the extent to which the recipient of the grant or contract meets or exceeds such performance measures, outcomes, and other criteria.

(3) ESTABLISHMENT OF EVALUATION PROCESS.—The Corporation shall, in collaboration and consultation with program directors of the Retired Senior Volunteer Program, establish and make available the evaluation process required by paragraph (1), including the performance measures, outcomes, and other criteria required by paragraph (2)(A), with particular attention to the different needs of rural and urban programs. The processes shall be established and made available, including notification of the available training and technical assistance, no

later than 180 days after the date of the enactment of this subsection.

(4) EFFECT OF FAILING TO MEET PERFORMANCE MEASURES.—If the evaluation process determines that the recipient has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection, the grant or contract shall not be renewed. Any successor grant or contract shall be awarded through the competitive process described in subsection (e)(1).

(5) SPECIAL RULE.—The Corporation may continue to fund a program which has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection for up to 12 months if competition does not result in a successor grant or contract for such program, in order to minimize the disruption to volunteers and disruption of services. In such a case, outreach shall be conducted and a new competition shall be established. The previous recipient shall remain eligible for the new competition.

(6) PERFORMANCE MEASURES.—

(A) IN GENERAL.—The performance measures, outcomes, and other criteria established under this subsection may be updated or modified as necessary, in consultation with program directors for the Retired Senior Volunteer Program, but no earlier than fiscal year 2014.

(B) OPERATIONAL PROBLEMS.—Effective for fiscal years before fiscal year 2014, the Corporation may, after consulting with program directors of the Retired Senior Volunteer Program, determine that a performance measure, outcome, or criterion established under this subsection is operationally problematic, and may, in consultation with program directors of the Retired Senior Volunteer Program and after notifying the appropriate committees of Congress—

(i) eliminate the use of that performance measure, outcome, or criterion; or

(ii) modify that performance measure, outcome, or criterion as necessary to render it no longer operationally problematic.

(g) ONLINE RESOURCE GUIDE.—The Corporation shall develop and disseminate an online resource guide for the Retired Senior Volunteer Program within 180 days after the date of the enactment of this subsection, which shall include, but not be limited to—

(1) examples of high performing programs;

(2) corrective actions for underperforming programs; and

(3) examples of meaningful outcome-based performance measures that capture a program's mission and priorities.

(h) REPORT TO CONGRESS.—Not later than September 30, 2013, the Corporation shall submit to the appropriate committees of Congress a report on—

(1) the number of programs that did not meet or exceed the established performance measures, outcomes, and other criteria established under subsection (f);

(2) the number of new grants awarded;

(3) the challenges to the implementation of evaluation and competition, including but not limited to geographic distribution and the minimization of disruption to volunteers; and

(4) how the current program geographic distribution affects recruitment for the Retired Senior Volunteer Program.

PART B—FOSTER GRANDPARENT PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 211. (a) The Director is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects (including direct payments to individuals serving under this part) designed for the purpose of providing opportunities for [low-income persons aged sixty or over] *low-income and other persons aged 55 or over* to provide supportive person-to-person services in health, education, welfare, and related settings to [children having exceptional needs] *children having special or exceptional needs or with conditions or circumstances identified as limiting their academic, social, or emotional development*. Such services may include services by individuals serving as foster grandparents to children who are individuals with disabilities, who have chronic health conditions, who are receiving care in hospitals, who are residing in homes for dependent and neglected children, or who are receiving services provided by day care centers, schools, early intervention programs under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), Head Start agencies under the Head Start Act, or any of a variety of other programs, establishments, and institutions providing services for children with special or exceptional needs. Individual foster grandparents may provide person-to-person services to one or more children, depending on the needs of the project and local site. The Director may approve assistance in excess of 90 per centum of the costs of the development and operation of such projects only if the Director determines, in accordance with regulations the Director shall prescribe establishing objective criteria, that such action is required in furtherance of the purpose of this section. Provision for such assistance shall be effective as of September 19, 1972. In the case of any project with respect to which, prior to such date, a grant or contract has been made under section 611(a) of the Older Americans Act of 1965, as amended (42 U.S.C. 3044b) or with respect to any project under the Foster Grandparent program in effect prior to September 17, 1969, contributions in cash or in kind from the Bureau of Indian Affairs, Department of the Interior, toward the cost of the project may be counted as part of the cost thereof which is met from non-Federal sources.

(b)(1) Any public or private nonprofit agency or organization responsible for providing person-to-person services to a child in a project carried out under subsection (a) of this section [shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection—] *may determine—*

(A) which children may receive supportive person-to-person services under such project; [and]

(B) the period of time during which such services shall be continued in the case of each individual child[.]*; and*

(C) whether it is in the best interests of a child receiving, and of a particular foster grandparent providing, services in such a project, to continue such relationship after the child reaches the age of 21, if such child was receiving such services prior to attaining the age of 21.

[(2) In the event that such an agency or organization determines that it is in the best interests of a mentally retarded child receiving, and of a particular foster grandparent providing, services in such a project, such relationship may be continued after the child reaches the chronological age of 21: *Provided,* That such child was receiving such services prior to attaining the chronological age of 21. If the particular foster grandparent subject to the determination under this paragraph becomes unavailable to serve after such determination is made, the agency or organization may select another foster grandparent.]

[(3)] *(2)* Any determination made by a public or nonprofit private agency or organization under [paragraphs (1) and (2)] *paragraph (1)* of this subsection shall be made through mutual agreement by all parties involved with respect to the provision of services to the child involved.

(3) If an assignment of a foster grandparent is suspended or discontinued, the replacement of that foster grandparent shall be determined through the mutual agreement of all parties involved in the provision of services to the child.

* * * * * * *

(d) The Director, in accordance with regulations the Director shall prescribe, may provide to low-income persons serving as volunteers under this part, such allowances, stipends, and other support as the Director determines are necessary to carry out the purpose of this part. [Any stipend or allowance provided under this section shall not be less than $2.45 per hour on and after October 1, 1993, and shall be adjusted once prior to December 31, 1997, to account for inflation,] *Any stipend or allowance provided under this part shall not exceed 75 percent of the minimum wage under section 6 the Fair Labor Standards Act of 1938 (29 U.S.C. 206), and the Federal share shall not be less than $2.65 per hour, provided that the Director shall adjust the Federal share once prior to December 31, 2012, to account for inflation,* as determined by the Director and rounded to the nearest five cents, except that (1) such stipend or allowance shall not be increased as a result of an amendment made to this sentence unless the funds appropriated for carrying out this part are sufficient to maintain for the fiscal year in question a number of participants to serve under this part at least equal to the number of such participants serving during the preceding fiscal year, and (2) in the event that sufficient appropriations for any fiscal year are not available to increase any such stipend or allowance provided to the minimum hourly rate specified in this sentence, the Director shall increase the stipend or allowance to such amount as appropriations for such year permit consistent with clause (1) of this exception. In establishing the amount of, and the effective date for, such adjustment, the Director, in consultation with the State Commissions on National and Community Service (as established under section 178 of the National and Community Service Act of 1990) and the heads of the State offices established under section 195 of such Act, shall consider the effect

such adjustment will have on the ability of non-federally funded volunteer programs similar to the programs under this title to maintain their current level of volunteer hours.

(e) For purposes of this part, the terms "low-income person" and "person of low income" mean—

(1) any person whose income is not more than [125] *200* per centum of the poverty line defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) and adjusted by the Director in the manner described in such section; and

(2) any person whose income is not more that 100 per centum of such poverty line[, as so adjusted and determined by the Director after taking into consideration existing poverty guidelines as appropriate to local situations].

Persons described in paragraph (2) shall be given special consideration for participation in projects under this part.

[(f)(1)(A) Except as provided in subparagraphs (B) and (C), individuals who are not low-income persons may serve as volunteers under this part, in accordance with such regulations as the Director shall issue, if such individuals serve without receiving any allowance, stipend, or other financial support under this part except reimbursement for transportation, meals, and out-of-pocket expenses incident to serving under this part.

[(B) The regulations issued by the Director to carry out this part (other than any regulations relating to allowances, stipends, and other financial support authorized by subsection (d) to be paid under this part to low-income persons) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend under subsection (d).

[(C) Individuals who are not low-income persons may not serve as volunteers under this part in any community in which there are volunteers serving under part A of this title unless such individuals have been referred previously for possible placement as volunteers under part A and such placement did not occur.

[(2)(A) Except as provided in subparagraph (B), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend under subsection (d).

[(B) An individual who is not a low-income person may not become a volunteer under this part if allowing such individual to become a volunteer under this part would prevent a low-income individual from becoming a volunteer under this part or would displace a low-income person from being such a volunteer.

[(3) The Director may not take into consideration or require as a condition of receiving a grant or contract to carry out a project under this part, any applicant for such grant or contract—

[(A) to accept or recruit individuals who are not low-income persons to serve as volunteers under this part; or

[(B) to solicit locally generated contributions, in cash or in kind, to support such individuals.

The Director may not coerce any applicant for, or recipient of, such grant or contract to engage in conduct described in subparagraph (A) or (B).

[(4) Funds appropriated to carry out this part may not be used to pay any cost, including any administrative cost, incurred in connection with volunteers under this part who do not receive a stipend under subsection (d). Such cost incurred with respect to a volunteer may be paid with—

[(A) funds received by the Director as unrestricted gifts;

[(B) funds received by the Director as gifts to pay such cost;

[(C) funds contributed by such volunteer; or

[(D) locally generated contributions in excess of the amount required to be contributed under subsection (a), in the discretion of the recipient of a grant or contract under such subsection.]

(f)(1) Subject to the restrictions in paragraph (3), individuals who are not low-income persons may serve as volunteers under this part. The regulations issued by the Director to carry out this part (other than regulations relating to stipends or allowances to individuals authorized by subsection (d)) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

(2) Except as provided under paragraph (1), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

(3) An individual who is not a low-income person may not become a volunteer under this part if allowing that individual to become a volunteer under this part would prevent a low-income person from becoming a volunteer under this part or would displace a low-income person from being a volunteer under this part.

(g) The Director may also provide a stipend or allowance in an amount not to exceed 10 percent more than the amount established under subsection (d) to leaders who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers under this part.

(h) The program may accept up to 15 percent of volunteers serving in a project under this part for a fiscal year who do not meet the definition of "low-income" under subsection (e), upon certification by the recipient of a grant or contract that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project.

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PART C—SENIOR COMPANION PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 213. (a) The Director is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects (including direct payments to individuals serving under this part in the same manner as provided in section 211(a)) designed for the purpose of providing opportunities for [low-income persons aged 60 or over] *low-income and other persons aged 55 or over* to serve as "senior companions" to persons with exceptional

needs. Senior companions may provide services designed to help older persons requiring long-term care, including services to persons receiving home health care, nursing care, home-delivered meals or other nutritional services; services designed to help persons deinstitutionalized from mental hospitals, nursing homes, and other institutions; and services designed to assist persons having developmental disabilities and other special needs for companionship.

(b) [Subsections (d), (e), and (f)] *Subsections (d) through (h)* of section 211, and such other provisions of part B as the Director determines to be necessary, shall apply to this part, except that for purposes of this part any reference in such subsections and such provisions to part B shall be deemed to be a reference to this part.

(c)(1) * * *

(2)(A) * * *

[(B) Senior companion volunteer trainers recruited under subparagraph (A) of this paragraph shall not be paid stipends.]

(B) Senior companion volunteer trainers and leaders may receive a stipend or allowance consistent with subsection (g) authorized under subsection (d) of section 211, as approved by the Director.

PART D—GENERAL PROVISIONS

PROMOTION OF NATIONAL SENIOR [VOLUNTEER] *SERVICE* CORPS

SEC. 221. (a) * * *

(b)(1) * * *

(2) The Director shall take appropriate actions to ensure that special efforts are made to publicize the programs established in parts A, B, and C, in order to facilitate recruitment efforts, to encourage greater participation of volunteers *of all ages and backgrounds living in rural, suburban, and urban localities*, and to emphasize the value of volunteering to the health and well-being of volunteers and the communities of such volunteers. Such actions shall include informing recipients of grants and contracts under this title of all informational materials available from the Director.

* * * * * * *

MINORITY GROUP PARTICIPATION

SEC. 223. The Director shall take appropriate steps to insure that special efforts are made to recruit, select, and assign qualified individuals [sixty years and older from minority groups] *55 years and older from minority and underserved populations* to serve as volunteers under this title.

USE OF LOCALLY GENERATED CONTRIBUTIONS IN NATIONAL SENIOR [VOLUNTEER] *SERVICE* CORPS

SEC. 224. Whenever locally generated contributions made to National Senior Volunteer Corps projects under this title are in excess of the amount required by the Director, the Director may not restrict the manner in which contributions are expended if expenditures from locally generated contributions are not inconsistent with the provisions of this Act.

PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 225. (a)(1) * * *

[(2) Except as provided in paragraph (3), the Director may make such grants—

[(A) under the program authorized in part A, to support programs that address the national problems specified in subsection (b);

[(B) under the program authorized in part B, to support programs that address the national problems specified in subsection (b), other than paragraphs (10), (12), (15), and (16) of such subsection; and

[(C) under the program authorized in part C, to support programs that address the national problems referred to in paragraphs (1), (2), (5), (6), and (10) of subsection (b).]

(2) Applicants for grants under paragraph (1) shall determine which program under part A, B, or C the program shall be carried out and submit an application as required for programs under part A, B, or C.

* * * * * * *

(4) To the maximum extent practicable, the Director shall ensure that at least 25 percent of the grants under this subsection are made to applicants not receiving assistance from the Corporation at the time of such grant and, when possible, from locations where no programs under part A, B, or C are in effect at the time of such grant. In a fiscal year where less than 25 percent of the applicants are applicants not receiving such assistance, the Director may make more than 75 percent of such grants to applicants receiving such assistance.

(b) The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern the Nation:

(1) Programs that assist individuals with chronic and debilitating illnesses, such as acquired immune deficiency syndrome *or Alzheimer's disease, with an intent of allowing those served to age in place*.

(2) Programs designed to decrease drug and alcohol abuse *through education, prevention, treatment, and rehabilitation*.

(3) Programs that work with teenage parents*, including programs that teach parenting skills, life skills, and family management skills*.

[(4) Programs that match volunteer mentors with youth who need guidance.]

(4) Programs that establish and support mentoring programs for disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990), including those mentoring programs that match youth with volunteer mentors leading to apprenticeship programs and employment training.

(5) Programs that provide adult and school-based literacy assistance*, including those programs that serve youth and adults with limited English proficiency*.

(6) Programs that provide respite care, including care for frail elderly individuals [and for disabled or chronically ill children living at home.] *and for individuals and children with disabilities or chronic illnesses living at home.*

(7) Programs that provide before- and [after-school activities that are sponsored by organizations, such as libraries, that serve children of working parents.] *after-school programs serving children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children, including those of working parents.*

[(8) Programs that work with boarder babies.

[(9) Programs that serve children who are enrolled in child care programs, giving priority to such programs that serve children with special needs.]

[(10)] *(8)* Programs that provide care to developmentally disabled adults who reside at home and in community-based settings, including programs that, when appropriate, involve older developmentally disabled individuals as volunteers under this title.

[(11)] *(9)* Programs that provide volunteer tutors to assist educationally disadvantaged children, on a one-to-one basis, to improve the basic skills of such children.

[(12) Programs that address environmental needs.

[(13) Programs that reach out to organizations (such as labor unions and profitmaking organizations) not previously involved in addressing national problems of local concern.

[(14) Programs that provide for outreach to increase participation of members of ethnic groups who have limited English proficiency.

[(15) Programs that support criminal justice activities and juvenile justice activities.

[(16) Programs that involve older volunteers working with young people in apprenticeship programs.]

(10) Programs that engage older adults with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community, including conducting energy audits, insulating homes, or conducting other activities to promote energy efficiency.

(11) Programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or youth re-entering society after incarceration and their families, which may include mentoring and counseling, which many include employment counseling.

[(17)] *(12)* Programs that support the community integration of individuals with disabilities.

[(18) Programs that provide health, education, and welfare services that augment the activities of State and local agencies, to be carried out in a fiscal year for which the aggregate amount of funds available to such agencies is not less than the annual average aggregate amount of funds available to such agencies for the period of 3 fiscal years preceding such fiscal year.]

(13) Programs that strengthen community efforts in support of homeland security.

(c)(1) In order for an applicant to be eligible to receive a grant under subsection (a), such applicant [shall demonstrate to the Director that such grant will be used to increase the total number of volunteers supported by such applicant.] *shall demonstrate to the Director a level of expertise in carrying out such a program.*

* * * * * * *

(e) The Director shall *widely* disseminate information on grants that may be made under subsection (a) [to field personnel of the Corporation and to community volunteer organizations that request such information.]*, including through volunteer recruitment programs being carried out by public or private non-profit organizations.*

* * * * * * *

SEC. 228. CONTINUITY OF SERVICE.

To ensure the continued service of individuals in communities served by the Retired and Senior Volunteer Program prior to enactment of this section, in making grants under this title the Corporation shall take actions it considers necessary to maintain service assignments for such seniors and to ensure continuity of service for communities.

SEC. 229. ACCEPTANCE OF DONATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), a program receiving assistance under this title may accept donations, including donations in cash or in kind.

(b) EXCEPTION.—Notwithstanding subsection (a), a program receiving assistance under this title shall not accept donations from the beneficiaries of the program.

PART E—DEMONSTRATION PROGRAMS

SEC. 231. AUTHORITY OF DIRECTOR.

[(a) IN GENERAL.—The Director is authorized to make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers. The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.]

(a) IN GENERAL.—

(1) ACTIVITIES AUTHORIZED.—The Director is authorized to—

(A) make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers; and

(B) make incentive grants under subsection (d).

(2) SUPPORT OF VOLUNTEERS.—The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.

(b) ACTIVITIES.—An organization that receives a grant or enters into a contract under [subsection (a)] *subsection (a)(1)(A)* may use

funds made available through the grant or contract for activities such as—

(1) linking youth groups and older American organizations in volunteer [activities;] *activities described in section 225(b) and carried out through programs described in parts A, B, and C;*

[(2) involving older volunteers in programs and activities different from programs and activities supported in the community; and

[(3) testing whether older American volunteer programs may contribute to new objectives or certain national priorities.]

(2) programs that support older Americans in aging in place while augmenting the capacity of members of a community to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs where services are exchanged and not paid for; or

(3) grants to non-profit organizations to establish sites or programs to—

(A) assist retiring or retired individuals in locating opportunities for—

(i) public service roles, including through paid or volunteer service;

(ii) participating in life-planning programs, including financial planning and issues revolving around health and wellness; and

(iii) continuing education, including leadership development, health and wellness, and technological literacy; and

(B) connect retiring or retired individuals with members of the community to serve as leaders and mentors in life planning, relationships, employment counseling, education counseling, and other areas of expertise as developed by the retiring or retired adults.

(c) PRIORITY.—For purposes of subsection (b)(2), priority shall be given to—

(1) programs with established experience in carrying out such a program and engaging the entire community in service exchange;

(2) programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans and for members of the community to serve each other;

(3) programs seeking to establish in an area where needs of older Americans are left unmet and older Americans are unable to consider aging in place without such service exchange in place; and

(4) programs that integrate participants in or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired and Senior Volunteer Program, Foster Grandparents program, and the Senior Companion programs, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).

(d) INCENTIVE GRANTS.—The incentive grants referred to in subsection (a)(1)(B) are incentive grants to programs receiving assistance under this title, subject to the following:

(1) Such grants (which may be fixed-amount grants) shall be grants in an amount equal to $300 per volunteer enrolled in the program, except that such amount shall be reduced as necessary to meet the goals of this section.

(2) Such a grant shall be awarded to a program only if the program—

(A) exceeds performance measures established under section 179 of the National and Community Service Act of 1990;

(B) provides non-Federal matching funds in an amount that is not less than 50 percent of the amount received by the program under this title;

(C) enrolls more than 50 percent of the volunteers in outcome-based service programs with measurable objectives meeting community needs, as determined by the Corporation; and

(D) enrolls more volunteers from among members of the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, than were enrolled in the program during the previous fiscal year.

(3) For each such grant, the Corporation shall require the recipient to provide matching funds of 70 cents from non-Federal sources for every $1 provided under the grant.

(4) Such a grant shall be awarded to a program only if the program submits, at such time and in such manner as the Corporation may reasonably require, an application that contains—

(A) a demonstration that the program has met the requirements of paragraph (2);

(B) if applicable, a plan for innovative programs as described in paragraph (6)(B)(ii);

(C) a sustainability plan that describes how the program will maintain the activities described in paragraph (6) when the grant terminates; and

(D) other information that the Corporation may require.

(5) Such grants shall be awarded for a period of 3 years, except that the grant shall be reviewed by the Corporation at the end of the first and second fiscal years and revoked if the Corporation finds that the program has failed to continue to meet the requirements of paragraph (2) for those fiscal years.

(6) Such grants—

(A) shall be used to increase the number of volunteers in outcome-based service with measurable objectives meeting community needs as determined by the Corporation; and

(B) may be used—

(i) for activities for which the program is authorized to receive assistance under this title; and

(ii) for innovative programs focused on the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, that have been accepted by the Corporation through the application process in paragraph (4) and are outcome-based programs with measurable objectives meeting community needs as determined by the Corporation.

(7) The Director shall, in making such grants, give high priority to programs receiving assistance under section 201.

* * * * * * *

TITLE IV—ADMINISTRATION AND COORDINATION

* * * * * * *

SPECIAL LIMITATIONS

SEC. 404. (a) The Director shall prescribe regulations and shall carry out the provisions of this Act so as to assure that the service of volunteers assigned, referred, or serving pursuant to grants, contracts, or agreements made under this Act is limited to activities which would not otherwise be performed by employed workers and which will not supplant the hiring of or result in the [displacement of employed workers] *displacement of employed workers or volunteers (other than participants under the national service laws)*, or impair existing contracts for service.

* * * * * * *

NOTICE AND HEARING PROCEDURES FOR SUSPENSION AND TERMINATION OF FINANCIAL ASSISTANCE

SEC. 412. (a) The Director is authorized, in accordance with the provisions of this section, to suspend further payments or to terminate payments under any contract or grant providing assistance under this Act, whenever the Director determines there is a material failure to comply with the applicable terms and conditions of any such grant or contract. The Director shall prescribe procedures to insure that—

(1) * * *

(2) an application for refunding under this Act may not be denied unless the recipient has been given (A) notice at least [75] *60* days before the denial of such application of the possibility of such denial and the grounds for any such denial, and (B) opportunity to show cause why such action should not be taken; *and*

[(3) in any case where an application for refunding is denied for failure to comply with the terms and conditions of the grant or contract award, the recipient shall be afforded an opportunity for an informal hearing before an impartial hearing officer, who has been agreed to by the recipient and the Agency; and]

[(4)] *(3)* assistance under this Act shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

* * * * * * *

DEFINITIONS

SEC. 421. For the purposes of this Act—

(1) * * *

(2) the terms "United States" and "States" mean the several States, the District of Columbia, the Virgin Islands, Puerto

Rico, Guam, the American Samoa*, the Commonwealth of the Northern Mariana Islands* and, for the purposes of title II of this Act, the Trust Territory of the Pacific Islands;

* * * * * * *

(13) the term "national senior volunteer" means a volunteer in the ⟦National Senior Volunteer Corps⟧ *National Senior Service Corps*;

(14) the term "⟦National Senior Volunteer Corps⟧ *National Senior Service Corps*" means the programs established under ⟦parts A, B, C, and E of⟧ title II;

* * * * * * *

SEC. 425. PROTECTION AGAINST IMPROPER USE.

Whoever falsely—

(1) * * *

* * * * * * *

that an entity is affiliated with, funded by, or operating under the authority of the Corporation, VISTA, or any of the programs of the ⟦National Senior Volunteer Corps⟧ *National Senior Service Corps* may be enjoined under an action filed by the Attorney General, on a complaint by the Director.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.

(a) AUTHORIZATIONS.—

(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out parts A and B of title I⟦, excluding section 109, $56,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.⟧ *$100,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.*

⟦(2) LITERACY ACTIVITIES.—There are authorized to be appropriated to carry out section 109, $5,600,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.⟧

⟦(3)⟧ *(2)* SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I⟦, excluding section 125, such sums as may be necessary for each of the fiscal years 1994 through 1996.⟧ *such sums as may be necessary for each of fiscal years 2010 through 2014.*

⟦(4) LITERACY CHALLENGE GRANTS.—There are authorized to be appropriated to carry out section 125, such sums as may be necessary for each of the fiscal years 1994 through 1996.⟧

⟦(5)⟧ *(3)* SPECIFICATION OF BUDGET FUNCTION.—The authorizations of appropriations contained in this subsection shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment, and social services, and, as such, shall be considered to be related to the programs of the Departments of Labor, Health and Human Services, and Education for budgetary purposes.

* * * * * * *

[(e) VOLUNTEER SERVICE REQUIREMENT.—

[(1) VOLUNTEER SERVICE YEARS.—Of the amounts appropriated under this section for parts A, B, and C of title I, including section 124, there shall first be available for part A of title I, including sections 104(e) and 109, an amount not less than the amount necessary to provide 3,700 volunteer service years in fiscal year 1994, 4,000 volunteer service years in fiscal year 1995, and 4,500 volunteer service years in fiscal year 1996.

[(2) PLAN.—If the Director determines that funds appropriated to carry out part A, B, or C of title I are insufficient to provide for the years of volunteer service required by paragraph (1), the Director shall submit a plan to the relevant authorizing and appropriations committees of Congress that will detail what is necessary to fully meet this requirement.

[SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.

[(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $45,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

[(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $85,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

[(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $40,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

[(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, such sums as may be necessary for each of the fiscal years 1994 through 1996.]

SEC. 502. NATIONAL SENIOR SERVICE CORPS.

(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $70,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $55,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II such sums as may be necessary for each of fiscal years 2011 through 2014.

* * * * * * *

INSPECTOR GENERAL ACT OF 1978

* * * * * * *

SPECIAL PROVISIONS CONCERNING THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

SEC. 8F. (a) Notwithstanding the provisions of paragraphs (7) and (8) of section 6(a), it is within the exclusive jurisdiction of the Inspector General of the Corporation for National and Community Service to—

(1) appoint and determine the compensation of such officers and employees in accordance with section 195(b) of the [National and Community Service Trust Act of 1993] *National and Community Service Act of 1990*; and

* * * * * * *

CATHY McMORRIS RODGERS
5TH DISTRICT, WASHINGTON
ASSISTANT WHIP

COMMITTEES
NATURAL RESOURCES
RANKING MEMBER, WATER & POWER
ARMED SERVICES
EDUCATION AND LABOR

WOMEN'S CAUCUS
CO-CHAIR

Congress of the United States
House of Representatives

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STEVENS
WALLA WALLA
WHITMAN

March 11, 2009

The Honorable George Miller
Chairman
Committee on Education and Labor
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Due to other legislative duties, I was unavoidably detained during Committee consideration of H.R. 1388, "Generations Invigorating Volunteerism and Education (GIVE) Act of 2009." Consequently, I missed roll call number 1, the vote on final passage of the bill. Had I been present, I would have voted in favor of the bill.

I would appreciate your including this letter in the Committee Report to accompany H.R. 1388. Thank you for your attention to this matter.

Sincerely,

Cathy McMorris Rodgers
Member of Congress

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ADDITIONAL VIEWS

Committee Republicans appreciate the bipartisan efforts undertaken in order to bring forward H.R. 1388, the Generations Invigorating Volunteerism and Education (GIVE) Act. Committee Republicans have historically had concerns about AmeriCorps and the other programs within the Corporation for National and Community Service, particularly during the Clinton Administration, when there was vast federal mismanagement of these programs. However, many of these concerns have been eliminated due to reforms implemented during the Bush Administration over the last eight years. For example, the Corporation's leadership has instituted significant improvements in efficiency and quality. Some of these efforts include streamlining the grants and application reporting processes, consolidating five field service centers into one, and automating education award payments, time and attendance, and travel.

While reforming the administration of the agency, President George W. Bush used his State of the Union address in 2002 to call on all Americans to serve their country for the equivalent of two years of their lifetime. A few months later, President Bush unveiled his "Principles and Reforms for a Citizen Service Act," a document intended to guide the reauthorization of the national service programs. Specifically, the President called for legislation to: (1) support and encourage greater engagement of citizens in volunteering; (2) make federal funds more responsive to State and local needs; (3) make Federal support more accountable and effective; and (4) provide greater assistance to community-based organizations (which include faith-based organizations).

In response to the President's call to reauthorize the national service laws, Rep. Pete Hoekstra (R–MI), along with Rep. Tim Roemer (D–IN), introduced H.R. 4854, the Citizen Service Act of 2002. That bill sought to reform and strengthen the programs under the Corporation for National and Community Service by implementing accountability measures for grantees and making the Corporation for National and Community Service an effective outlet for leveraging community service among the many service organizations across the country. These reforms were intended to complement the ongoing efforts of the Corporation to strengthen these programs. After years of mismanagement under the Clinton Administration, the Corporation received its ninth consecutive clean audit opinion for FY 2008.

SUPPORT, FOR REPUBLICAN IDEAS

Committee Republicans are pleased that the new Administration has been anxious to build on the reforms and developments of the Bush Administration and the USA FreedomCorps by continuing the dialogue on national service. We are also pleased that the Ma-

jority has agreed that such reforms are necessary and has included many of the key provisions from H.R. 4854 in H.R. 1388. Additionally, Committee Republicans appreciate the Majority's willingness to build on the progress made last Congress with the bill and work in a bipartisan manner again this Congress to continue to improve the bill and incorporate many of the Republican ideas into the product as it moves forward in the legislative process.

Committee Republicans strongly believe that organizations receiving federal funds should utilize those funds, and the participants the funds help support, to leverage federal assistance to encourage other Americans to dedicate some of their time and resources to volunteerism. We appreciate the Majority's willingness to maintain a provision from H.R. 4854 that would require the Corporation to take the ability of generating volunteers into account when reviewing the applications of organizations that are applying for funds under the national service laws. However, Committee Republicans also recognize that the mission of some organizations may not lend themselves to easily meet this goal because of the nature of the activity being performed. In those cases, Committee Republicans believe that organizations should make every effort to promote some form of volunteerism in their projects. Promoting volunteerism will help inspire more individuals to serve and will help leverage the federal funds being provided to these organizations.

Committee Republicans are pleased at the acceptance of an amendment offered by Rep. Vernon Ehlers (R–Ml) to clarify that activities for older adults who participate in the National Senior Volunteer Programs may include conducting energy audits, insulating homes, and conducting other activities to promote energy efficiency. The number of participants in the Senior Corps programs will be increasing as the almost 79 million members of the "Baby Boomer" generation retire and look for other activities to fill their days. Many of these individuals have unique skill sets that could be put to use in helping our country become more energy efficient. Also, in the modern home, insulation and other energy efficiency techniques have become very sophisticated. This program will provide participants with the opportunity to learn about these new methods. These participants can also pass their knowledge on to the younger generations through the relationships developed with youth, including disadvantaged youth, through the Senior Corps programs. The concept of energy efficiency provides multidisciplinary learning opportunities in math, science, and language arts—subjects that America's Baby Boomers and seniors can assist students with by using hands-on, real-world projects. This amendment clarifies that activities like conducting energy audits, insulating homes and conducting other activities to promote energy efficiency are activities that would be supported by the national priorities in the Senior Corps programs.

Committee Republicans, particularly Rep. Mark Souder (R–IN), were pleased to see the inclusion of a provision in the Energy Corps that would allow the Corporation to provide grants to projects designed to renew and rehabilitate National Park resources. This amendment was included in the Manager's Amendment offered by Chairman Miller at the markup. Through this amendment, organizations can work to rejuvenate the National

Park system and help connect the parks to the surrounding communities and educational institutions.

ALLOWING INDIVIDUAL CHOICE & REMOVING RED TAPE FOR SMALL ORGANIZATIONS

Committee Republicans are pleased at the inclusion of a provision, building on an amendment offered last Congress by Rep. Souder, to provide the Corporation with authority to create the Serve America Fellowship. The Fellowship requires that one-third of the funds for the Fellowship shall go to individuals serving organizations with not more than 10 full-time employees and 10 part-time employees. This program is an opportunity to provide innovative ways to support small, faith-based and other community-based charities. These smaller organizations are often doing the bulk of the work in our communities serving those in need, but may not have the administrative capacity to support a full AmeriCorps grant. By providing individuals greater choice and small organizations greater opportunities to attract participants, while including accountability measures to ensure that the service is meaningful, this Fellowship could deliver resources to local communities more efficiently.

This reauthorization will also help smaller entities participate in the national service programs by removing needless bureaucracy and red tape. By allowing fixed grant awards, participants will still meet rigorous program requirements but the administrative burden of detailed recordkeeping that has prevented smaller organizations from participating in the past will be eliminated. The bill also allows a two-step implementation of fixed grant awards so we can ensure that the Corporation is able to change its operations without a disruption in funding to the grantees or opening the system up to waste, fraud and abuse.

GREATER OPPORTUNITY FOR VETERANS

H.R. 1388 creates a Veterans Corps aimed at helping those who have served our country in the military but may now require assistance for themselves or their families. For example, through the Veterans Corps, participating organizations agree to provide assistance to military families when their service member has been sent to fight and upon that service member's return home. Many of these families are also participating in their own form of service through activities to support other military families and other service members and this proposal would help foster their ability to continue with those efforts. The bill also requires the Corporation to keep track of what grantees in the national service programs are doing to help veterans and active duty service members. Committee Republicans agree with the Majority and strongly encourage the Corporation to direct organizations to assist veterans, their families and active duty service members as it selects its national priorities.

The bill requires the Corporation to select at least two Corps as national priorities. Committee Republicans strongly encourage the Corporation to select the Veterans Corps as one of the national priorities. Establishing a Veterans Corps recognizes not only veterans' military service to the nation, but also the skills and work ethic gained by that service and it is to the nation's advantage to con-

tinue to use those qualities. Many veterans reenter the civilian world superbly prepared to assume leadership in positions that require a dedication to success, a sense of integrity, and the ability to work collaboratively. In addition, there are veterans, like those that were injured during their service to our nation, that need the help of grantees under the national service laws. The nation's 23–24 million veterans are one of the most diverse workforces in the nation and prioritizing their needs under this Act is the best way to help volunteerism reach all sectors of our nation.

CAMPUSES OF SERVICE

Despite the bipartisan support this bill received in Committee, Committee Republicans do have some concerns about the inclusion of the Campuses of Service provision. This provision would allow the Corporation to select 25 institutions of higher education from among those nominated by the States to be designated as "Campuses of Service." Upon receiving this award, these institutions could receive up to $280,000. In order to be nominated for this reward, an institution must demonstrate that they are a leader in national service—the institution has service-learning programs at both the undergraduate and graduate levels; the students attending the institution participate in community service projects through the Federal Work-Study program; students volunteer around the local community; and a large percentage of graduates from the institution find jobs in the public service sector. Committee Republicans believe that these institutions should be highlighted but feel strongly that having the designation is a sufficient reward. Institutions are already eligible for large amounts of federal funds through the service-learning program, the student aid programs, and many of the new programs created as part of the Higher Education Opportunity Act. Additionally, H.R. 1, the American Recovery and Reinvestment Act, included an additional $200 million in federal work-study funds and included modernization and renovation funds for institutions. Committee Republicans believe that if there are even more funds designated under this bill for institutions, the funds should be directed at those campuses that need to improve their campus record on public service, not help those leaders in the area continue to build up their programming.

CONCLUSION

Committee Republicans appreciate the inclusion in H.R. 1388 of many provisions that were initially proposed in the Citizen Service Act of 2002. In particular, we applaud the inclusion of reforms that Committee Republicans have long championed to ensure that recipients of taxpayer funds are held accountable for results. We are pleased to join with the Majority in supporting bipartisan efforts to strengthen the national service laws and improve service delivery throughout the country. We look forward to working with the Majority as the legislation moves forward.

HOWARD P. MCKEON.
TOM PETRI.
MIKE CASTLE.
BRETT GUTHRIE.
MARK SOUDER.
BILL CASSIDY.
VERNON J. EHLERS.
JUDY BIGGERT.
DAVID P. ROE.
GLENN THOMPSON.

○